



The Journal OF THE *House of Representatives*

Number 41

Thursday, April 29, 2010

The House was called to order by the Speaker at 10:30 a.m.

Prayer

The following prayer was offered by Elder Lawrence Reed of Saint Mary Primitive Baptist Church of Tallahassee, upon invitation of the Speaker:

Dear Heavenly Father, as we come to a closure of this year's 112th Florida legislature session, I thank You and praise You for our great state, first of all. I thank You for all You've done and You will do. Lord, I pray that the members of the House and Senate receive Your peace and direction. And for these men and women to act and lead according to Your word—and may they have a new birth of clarity in their aim, responsibility in their action, humility in their approaches and attitude.

God, You said in Your word: a house divided against itself cannot stand. Therefore, I pray for them to be unified in righteousness for the sake of this great state. Be merciful, O God; continue to bless Speaker Cretul's life. Lord, the life that You have laid out before him, Father, guide and lead him, Father, in that pathway. And Lord, as Your leaders prepare to leave this place, I commit our Speaker, the members of the House and Senate into Your loving care.

In the name of the One who changed my life—Jesus: our Father, who art in heaven, hallowed be Thy name. Thy kingdom come. Thy will be done, on earth as it is in heaven. Give us this day our daily bread. And forgive us our trespasses, as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil. For Thine is the kingdom, the power, and the glory, forever and ever. Amen, Amen, and Amen!

The following members were recorded present:

Session Vote Sequence: 1077

Speaker Cretul in the Chair.

Adams	Chestnut	Frishe	Horner
Adkins	Clarke-Reed	Gaetz	Hudson
Anderson	Coley	Galvano	Hukill
Aubuchon	Cretul	Garcia	Jenne
Bembry	Crisafulli	Gibbons	Jones
Bernard	Cruz	Gibson	Kelly
Bogdanoff	Culp	Glorioso	Kiar
Bovo	Domino	Gonzalez	Kreegel
Boyd	Drake	Grady	Kriseman
Brandenburg	Eisnaugle	Grimsley	Llorente
Braynon	Evers	Hasner	Long
Brisé	Fetterman	Hays	Lopez-Cantera
Burgin	Fitzgerald	Heller	Mayfield
Bush	Flores	Holder	McBurney
Cannon	Ford	Homan	McKeel
Carroll	Fresen	Hooper	Murzin

Nehr	Randolph	Saunders	Tobia
Nelson	Ray	Schenck	Troutman
O'Toole	Reagan	Schultz	Van Zant
Pafford	Reed	Schwartz	Waldman
Patronis	Rehwinkel Vasilinda	Skidmore	Weatherford
Patterson	Renuart	Snyder	Weinstein
Plakon	Rivera	Soto	Williams, A.
Planas	Roberson, K.	Stargel	Williams, T.
Poppell	Roberson, Y.	Steinberg	Wood
Porth	Rogers	Taylor	Workman
Precourt	Rouson	Thompson, G.	
Proctor	Sachs	Thompson, N.	
Rader	Sands	Thurston	

(A list of excused members appears at the end of the *Journal*.)

A quorum was present.

Pledge

The members, led by the following, pledged allegiance to the Flag: Margaret-Kay Ard of Tallahassee at the invitation of Rep. T. Williams; Samuel Ard of Tallahassee at the invitation of Rep. T. Williams; Kristen Dailey of West Palm Beach at the invitation of Rep. Hasner; Elizabeth Giordano of New Port Richey at the invitation of Rep. Nehr; Kellen Griffin-Jay of Safety Harbor at the invitation of Rep. Schultz; Tyler Hacker of Lake Worth at the invitation of Rep. Bogdanoff; and Hannah Heflin of Tallahassee at the invitation of Rep. Flores.

House Physician

Rep. Homan introduced Dr. Carol A. Hodges of Tampa, who served in the Clinic today upon invitation of her husband, Rep. Homan.

Correction of the *Journal*

The *Journal* of April 28 was corrected and approved as corrected.

Messages from the Senate

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 7079, with 1 amendment, by the required Constitutional two-thirds vote of all members present, and requests the concurrence of the House.

R. Philip Twogood, Secretary

HB 7079—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 97.0585, F.S., which provides an exemption from public records requirements for certain information regarding voters and voter registration and which provides an exemption

from the copying requirements for signatures of voters and voter registrants; making clarifying changes; repealing s. 3, ch. 2005-279, Laws of Florida, which provides for repeal of the exemption; providing an effective date.

(Amendment Bar Code: 500176)

Senate Amendment 1 (with title amendment)—Delete lines 35 - 39 and insert:

(3) The names, addresses, and telephone numbers of persons who are victims of stalking or aggravated stalking are exempt from s. 119.071(1) and s. 24(a), Art. I of the State Constitution in the same manner that the names, addresses, and telephone numbers of participants in the Address Confidentiality Program for Victims of Domestic Violence which are held by the Attorney General under s. 741.465 are exempt from disclosure, provided that the victim files a sworn statement of stalking with the Office of the Attorney General and otherwise complies with the procedures in ss. 741.401-741.409.

~~(4)(3)~~ This section applies to information held by an agency before, on, or after the effective date of this exemption.

(5) Subsection (3) is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2015, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. Section 3 of chapter 2005-279, Laws of Florida, is repealed.

Section 3. The Legislature finds that it is a public necessity that the names, addresses, and telephone numbers of victims of stalking or aggravated stalking, which are held by the Office of the Attorney General or contained in voter registration records and voting records held by the Department of State or the supervisor of elections, be made exempt from public-records requirements. The victims, who may be members of the voting public, must be afforded the ability to participate in the election process. However, the department and supervisor of elections must maintain a verifiable address in order to place the voter in the proper voting precinct and to maintain accurate records for compliance with state and federal requirements. The public-records exemption for the name is a public necessity because access to such name narrows the location of a stalking victim to a specific, geographic voting precinct. In addition, access to the address and telephone number provides specific location and contact information for the victim. Therefore, access to the name, address, and telephone number defeats the goal of providing safety and security. Allowing victims of stalking or aggravated stalking to use a substitute mailing address designated by the Office of the Attorney General facilitates the goal of providing safety and security. Thus, the Legislature finds that it is a public necessity to make exempt from public disclosure the names, addresses, and telephone numbers of victims of stalking or aggravated stalking held by the Office of the Attorney General, by the department, or by a supervisor of elections.

Section 4. This act shall take effect upon becoming a law.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 8

and insert:

registrants; making clarifying changes; creating a public-records exemption for specified personal identifying information of stalking victims held by the Attorney General or contained in voter registration and voting records held by the supervisor of elections or the Department of State; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; repealing s. 3,

On motion by Rep. Schenck, the House concurred in **Senate Amendment 1**.

The question recurred on the passage of HB 7079. The vote was:

Session Vote Sequence: 1078

Speaker Cretul in the Chair.

Yeas—113

Adams	Flores	Llorente	Rogers
Adkins	Ford	Long	Rouson
Anderson	Fresen	Lopez-Cantera	Sachs
Aubuchon	Frishe	Mayfield	Sands
Bembry	Gaetz	McBurney	Saunders
Bernard	Galvano	McKeel	Schenck
Bogdanoff	Garcia	Murzin	Schultz
Bovo	Gibbons	Nehr	Schwartz
Boyd	Gibson	Nelson	Skidmore
Brandenburg	Glorioso	O'Toole	Snyder
Braynon	Gonzalez	Pafford	Stargel
Brisé	Grady	Patronis	Steinberg
Burgin	Grimsley	Patterson	Taylor
Bush	Hasner	Plakon	Thompson, G.
Cannon	Hays	Planas	Thompson, N.
Carroll	Heller	Poppell	Thurston
Chestnut	Holder	Porth	Tobia
Clarke-Reed	Homan	Precourt	Troutman
Coley	Hooper	Proctor	Van Zant
Cretul	Horner	Rader	Waldman
Crisafulli	Hudson	Randolph	Weatherford
Cruz	Hukill	Ray	Weinstein
Culp	Jenne	Reagan	Williams, A.
Domino	Jones	Reed	Williams, T.
Drake	Kelly	Rehwinkel Vasilinda	Wood
Eisnaugle	Kiar	Renuart	Workman
Evers	Kreegel	Rivera	
Fetterman	Kriseman	Roberson, K.	
Fitzgerald	Legg	Roberson, Y.	

Nays—None

Votes after roll call:

Yeas—Abruzzo, Ambler, Robaina, Soto

So the bill passed, as amended. The action was immediately certified to the Senate and the bill was ordered enrolled after engrossment.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 2584, and requests the concurrence of the House.

R. Philip Twogood, Secretary

By the Committee on Criminal Justice; and Senator Altman—

CS/SB 2584—A bill to be entitled An act relating to handbill distribution; amending s. 509.144, F.S.; revising definitions; providing additional penalties for the offense of unlawfully distributing handbills in a public lodging establishment; specifying that certain items used in committing such offense are subject to seizure and forfeiture under the Florida Contraband Forfeiture Act; amending s. 901.15, F.S.; authorizing a law enforcement officer to arrest a person without a warrant when there is probable cause to believe the person violated s. 509.144, F.S., and where the owner or manager of the public lodging establishment signs an affidavit containing information supporting the determination of probable cause; amending s. 932.701, F.S.; revising the definition of the term “contraband”; providing that the terms and provisions of the act do not affect or impede the provisions of a specified state statute or any protection or right guaranteed by the Second Amendment to the United States Constitution; providing an effective date.

—was read the first time by title and referred to the Calendar of the House.

Motion

Rep. Horner moved to waive the rules and read CS for SB 2584 a second time by title. The motion was not agreed to by the required two-thirds vote. The vote was:

Session Vote Sequence: 1079

Speaker Cretul in the Chair.

Yeas—72

Adams	Ford	Legg	Reagan
Adkins	Fresen	Llorente	Renuart
Anderson	Frishe	Lopez-Cantera	Rivera
Aubuchon	Gaetz	Mayfield	Robaina
Bogdanoff	Galvano	McBurney	Roberson, K.
Bovo	Gonzalez	McKeel	Schenck
Burgin	Grady	Murzin	Schultz
Cannon	Grimsley	Nehr	Snyder
Carroll	Hasner	Nelson	Stargel
Coley	Hays	O'Toole	Thompson, N.
Cretul	Holder	Patronis	Tobia
Crisafulli	Homan	Patterson	Troutman
Culp	Hooper	Plakon	Van Zant
Domino	Horner	Planas	Weatherford
Drake	Hudson	Poppell	Weinstein
Eisnaugle	Hukill	Precourt	Williams, T.
Evers	Kelly	Proctor	Wood
Flores	Kreegel	Ray	Workman

Nays—44

Abruzzo	Cruz	Long	Sands
Bembry	Fetterman	Pafford	Saunders
Bernard	Fitzgerald	Porth	Schwartz
Boyd	Garcia	Rader	Skidmore
Brandenburg	Gibbons	Randolph	Soto
Braynon	Gibson	Reed	Steinberg
Brisé	Heller	Rehwinkel Vasilinda	Taylor
Bullard	Jenne	Roberson, Y.	Thompson, G.
Bush	Jones	Rogers	Thurston
Chestnut	Kiar	Rouson	Waldman
Clarke-Reed	Kriseman	Sachs	Williams, A.

Votes after roll call:

Yeas—Ambler

Recessed

The House recessed at 10:49 a.m., to reconvene at 11:30 a.m.

Reconvened

The House was called to order by the Speaker at 11:30 a.m. A quorum was present [Session Vote Sequence: 1080].

Remarks

The Speaker recognized Rep. Hasner, who made brief farewell remarks.

Recessed

The House recessed at 12:07 p.m., to reconvene at 1:00 p.m.

Reconvened

The House was called to order by the Speaker pro tempore at 1:00 p.m. A quorum was present [Session Vote Sequence: 1081].

Introduction of Guests

The Speaker pro tempore introduced Speaker Cretul's wife, Lana, and Senate President Atwater.

The Speaker pro tempore recognized President Atwater, who honored the House with a historic gavel that will be used for the remainder of Session and then donated to the Legislature for historical purposes.

Remarks

The Speaker pro tempore recognized Rep. Adams for the following remarks.

Representative Adams: Thank you, Mr. Speaker. Members, if you are lucky, every once in a while you will meet someone who you instantly like and respect. Someone with whom you can easily form a strong bond. For me, Larry Cretul is one of those people.

When leadership put eleven freshmen together on the eleventh floor, they set a stage for all kinds of merriment. And yes, I did, I guess I terrorized one. And I fell in with two people who were very, very close to me, who would soon become some of my closest friends here in Tallahassee: Ralph Poppell and Larry Cretul. As friends, we shared a common humility for the people who had trusted us to represent them in Tallahassee. We also immediately knew that Larry was a person you could trust with anything.

Larry is a quiet, introspective guy—a genuine guy who loves his wife, Lana, and his family, takes his job seriously, works hard, and smiles easily. He is the kind of guy you want as your neighbor, especially when you need a refrigerator moved, or a tree removed after a hurricane. If you ask Larry for help, you know he'll be there; he will be there for you.

Larry has a very dry sense of humor. I remember countless times in those first two years after the day's business was done, we would all laugh together.

It didn't take leadership long to recognize Larry's strength and skills. Soon, he was serving as a committee chair, still the same guy who took his job seriously, still the same guy who would stop to help you if you needed it. He became a successful legislator, skillful in the process, and still unassuming for himself.

Larry thought he had reached a pinnacle when his peers elected him Speaker pro tem. I'm sure Larry never thought or never sought the spotlight—he just wanted to do the best he could to serve the people of Florida and support his colleagues. And his colleagues again recognized—Larry is a guy who has your back, who is worthy of our trust.

Then fate unexpectedly intervened with one of the most troubling events I've ever experienced in the history of the Florida House of Representatives. Larry suddenly found himself with all his colleagues looking to him for calm reassurance and leadership. This quiet man, this humble man, this man of strength, was now being asked by his peers to assume the role of Speaker of the House.

I know Larry is a man of faith, and I know he prayed for guidance as he assumed the speakership, as you heard today in this very Chamber. There are not many in this Chamber who could have stepped into the position as ably as he did. And there are fewer still that could have been as successful as he has been.

Larry, you have literally written a chapter of Florida history by your work and your leadership at this time when we really needed your steady hand. In these eight years, it has been my pleasure to be your colleague, your supporter, and your friend. I'm not sure how historians will portray you, but I know, to me, you will always be a giant. Thank you for serving Florida and for serving the House of Representatives, and thank Lana for loaning us your goodwill and leadership. Thank you, especially, for being my friend. [applause]

The Speaker pro tempore recognized Rep. Hasner for the following remarks.

Representative Hasner: Thank you, Mr. Speaker [pro tempore]. Members, today, I would like to share my thoughts on how Speaker Larry Cretul will be remembered, or as some people would like to say, what Larry Cretul's legacy is going to be. But in order to do that, we all need to think back, a little bit over a year ago, to March 3rd, 2009, the opening day of the 2009 Legislative Session. During the three months leading up to that day, the

Florida House of Representatives had endured a challenging time, buffeted by questions and innuendo and criticism about our past leader's conduct. As an institution, we remain strong, but I believe, at that time, we were vulnerable. Fortunately, for us, and for the people of the state of Florida, at 10 a.m., on that opening day of the 2009 Legislative Session, the members of this Chamber unanimously named Larry Cretul the Speaker of the Florida House of Representatives.

Practically overnight, Larry Cretul, who later told us that he was at first intimidated as a freshman member for even being called up to the office on the fourth floor, suddenly had the prime office space in this building. He now also had the responsibility of managing over 500 employees, 119 members of the Florida House, and had to sift through an often bewildering world of protocol, parliamentary procedure, and personalities.

Larry Cretul is the Speaker who never sought the job, who never sat on an appropriations committee, who never collected pledges of support, and who never raised money for House campaigns. He was perfectly being happy, as a solid member, and a Speaker pro tem, as he completed his final two years of service in the Florida House of Representatives. But I think we can all agree that Larry Cretul's steady hand and consistent leadership lifted this House up, after some had thought that this institution had stumbled. The fact is, is that Larry Cretul was tested. He was tested like many of us never will be, with an unexpected challenge and with no time to plan for it.

Over the past two years, he has helped us to define an admirable agenda that identified and preserved the core missions of state government, managed billions of dollars in spending reductions, and took on tough challenges and tough issues, like Medicaid reform, class size, job creation, teacher quality, energy, and prudent budget practices. Now, we didn't accomplish everything that he set out to do—one never does, in this process. But with his leadership, we made Florida, and this institution, the Florida House of Representatives, a better place for the citizens that we all serve.

Members, some have called Larry Cretul the "accidental" Speaker. I say, he is the providential Speaker. He agreed to serve, he was tested, and he proved, without a shadow of a doubt, that he was prepared and could handle the job. Members, we are all indebted to him for his service to us, to this House, and to the people of the state of Florida. Thank you, Mr. Speaker. [applause]

The Speaker pro tempore recognized Rep. Cannon for the following remarks.

Representative Cannon: Thank you, Speaker [pro tempore] Reagan, thank you, members. Speaker, this is one of those speeches that will be very brief. I'm going to save some of my remarks about the privilege of knowing you since 1996 until tomorrow night. But members—and I cannot tell you what a great picture we've seen of the man, Larry Cretul, from Representative Adams and Representative Hasner—and I want to talk about a couple of those points. As Leader Hasner said, it is an axiom that leadership and power and crisis do not so much make character as they reveal it. And if ever there was proof of a man with character that I aspire to emulate, it is Larry Cretul.

There are three stanzas that I'm going to read from the poem by Rudyard Kipling, "If"—many of you are familiar with it. Representative Galvano actually has it memorized; he and I were talking about this. These three stanzas, I think, represent the three phases of Larry Cretul's speakership. In the first phase, as Sandy mentioned and Adam mentioned, were last year. And the poem goes like this:

If you can keep your head when all about you
Are losing theirs and blaming it on you,
If you can trust yourself when all men doubt you,
But make allowance for their doubting too;
If you can wait and not be tired by waiting,
Or, being lied about, don't deal in lies,

Or, being hated, don't give way to hating,
And yet don't look too good, nor talk too wise;

Speaker, your leadership, last session, literally kept the wheels from coming off the bus, I don't know how many times. But you exemplified those words that were written a long time ago. And you did that for me—I know I think I speak for probably everybody in here, because you kept your wits about you when all around you were losing theirs and blaming it on you. You were the glue, and the wired-to-be calm person that we needed—and as Leader Hasner said, providentially got put here for that purpose at that critical time, and you delivered.

And to think about the work that you did, Speaker, last summer and this fall, to reshape and improve, and place your stamp and imprint on the structure that laid the foundation for this session. And that comes in the second stanza of the poem, and it goes like this:

If you can dream—and not make dreams your master;
If you can think—and not make thoughts your aim;
If you can meet with triumph and disaster
And treat those two imposters just the same;
If you can bear to hear the truth you've spoken
Twisted by knaves to make a trap for fools,
Or watch the things you gave your life to broken,
And stoop and build 'em up with worn-out tools;

Your efforts, literally, over the summer—I know how many hours you spent, and members, you have no idea, but it was more hours than any of us spent, including me—to take a House that emerged from a tough time, stronger, but with some weaknesses, and make it stronger, and make it better, and make it more efficient, and make it better prepared to do the people's business, and to craft great public policy. You did that, and you did that with good old-fashioned hard work. Not seeking credit, but instead, putting it at others and that was fantastic.

And then when I think about this session, which, if you would've told me on Day 59 that we would be in this great of shape, with this—the type of challenges we've faced, I never would have believed it. And instead, we are poised—thanks to your work, and your work, President Atwater—to land the plane, I hope on time [knocks on wood], and get us out of here in great fashion, you did it.

And this last stanza describes your leadership over this past session:

If you can talk with crowds and keep your virtue,
Or walk with kings—nor lose the common touch;
If neither foes nor loving friends can hurt you;
If all men count with you, but none too much;
If you can fill the unforgiving minute
With sixty seconds' worth of distance run—
Yours is the Earth and everything that's in it,
And—which is more—you'll be a Man, my son!

I know probably half a dozen people I've met in my life, Speaker, who actually live that and walk that walk. I aspire to be that. I've come short of that so many times. But, Speaker, it's an honor to call you my Speaker, to call you my colleague, and to call you my friend. We are all very, very, very proud of you. [standing ovation]

Unveiling of the Speaker's Portrait

Rep. Cannon unveiled the portrait of Speaker Cretul at the request of the Speaker pro tempore. [applause]

Following Speaker Cretul's remarks, Sergeant at Arms staff members hung the Speaker's portrait in the Chamber.

Remarks of the Speaker

Speaker Cretul: It's been quite a journey for the past eight years, and one that really has taken some very unexpected turns. There's going to be a few people I would like to thank personally for making my—I guess you could say—"tour of duty" or "term of service" a little easier. First, to my wife, Lana: she's been a steadfast partner and an encourager every day of our lives that we've shared together. Thank you, my dear. [applause] Our sons, Brian and Scott, for being the men they are; Aly, Brian's wife, and the mother of our grandsons, Ben and Max, who I'm very much looking forward to seeing this weekend. The district staff from District 22, both past and present: Thomazine McNeil, who's been with me from day one; others included Vilma Dowd, Michael Luethy, Mike Preston, Brittany Wilson, and Gina Evans. Their service to the District and to me, personally, has been phenomenal.

The Sarge—where are you at, Sarge? There he is, over there, and his entire staff. The day I walked into the office, it was about 9:00. Sarge came up to me and said, "Well, what would you like me to do?" And I said, "Sarge, I don't know, whatever you do at 9:00 in the morning on Monday." He's been right there every step of the way. Bob Ward—behind me—great Clerk. His entire staff is very professional. And the young lady that does the reading [Arwyn Traylor] is absolutely amazing. [standing ovation] You know, their work does not stop when we conclude session; it actually just begins, because they go back to their offices and work most of the night, and sometimes, all night.

A very special, though, thank you to the Chaplain's office. Every Wednesday, they do have those fellowship meetings, I believe on the fifth floor. I receive notes of encouragement and prayers. And I also receive notes on who they are praying for, and I really think that they do make a difference in this building.

To Dudley Goodlette—he's the guy over there, standing up against the wall—who answered a call from us on very short notice, to help us get the ship back on course. When we asked him to come, he was there, and he's been here every day since. And Dudley, I can't tell you how much I appreciate what you've done, and the friendship now that we have, and that will endure years after this is over. I think he's going to Naples this weekend. [standing ovation] But, I understand he will be back as we move forward until November—right, Dudley? Yes, right. The other Speaker's Office staff, both past and present, include: George Levesque, you've heard accolades of George; Don Rubottom, if you ever want to debate constitutional law, just go see Don; Lynn Cobb, who is the master at education policy; Michelle Davila, who is the HR and does all of these things that not many people know exactly how it all comes about, she's just a rock; Lynn Imhof, obviously, works with Dudley; Karen Camechis, our General Counsel; you know, on loan at times, Matt Bahl. Matt seems to be everywhere. Jill "Commit No News" Chamberlin [laughter]—where is she? And I'm trying not to do that today. Melanie Phister, Janice Gilley, Carlos Muniz, and our current intern, Stephen Kyle—they've all contributed a great deal to the operation of the Speaker's Office. You know, the public face—the people you first see when you enter those double doors of the office—is Eddie Westcott. Jed Hall was there for a certain period of time, last year, and Nancy Murphy. Nancy's last day is tomorrow; she's been here for 30 years and she's retiring. Stand up, Nancy. [standing ovation] You will never find a nicer person than Nancy, and in case you've ever been in that front office on occasion, it does get a little crowded, and sometimes, a little rowdy. But they do a great job up there. And finally, Lisa Griffin; Lisa, please stand up. She keeps me on time and she keeps me focused. She's made my days a lot easier to deal with. And you know what her nickname is: "Attila the Honey."

You know, I wish I had the time to share a little something about each and every one of you, because I've been keeping a lot of notes, and as you saw yesterday, I have pictures. But I just wanted to talk a little bit about a couple of people. First of all, Bill Galvano, who I will always remember as a man of

high integrity. He and I had many conversations, and what strikes me the most about him—he does, in fact, put this institution first. He's done some very heavy lifting this year on many issues, and some were not so pleasant. No Speaker could ever have a better Rules chairman, or a friend like Bill Galvano. Thank you, Bill. [standing ovation]

Adam Hasner: "Braveheart." One day, we talked about painting his face during one of the debates as we came into the Chamber. He brought the paint, and I said, "No way, pal." But here is a guy that's filled with passion, and he's not ashamed on any position he takes, and he never runs away from a good debate. He's been a great Majority Leader, a great friend, and I will always cherish, Adam, your loyalty and your friendship.

David Rivera: one smooth dude. [laughter] He's like a brother to me, and you know what, that surprises a lot of people. But our friendship began in a little redneck diner in Alachua County. I was eating country fried steak; he was drinking water. He didn't recognize anything on the menu. [laughter] As you know, he's a very passionate person when he speaks. I'm sure you'll all remember his debate on Senate Bill 6—talking about his sister. There were members crying in this room, and when he was finished, he got a standing ovation. And during that standing ovation, someone leaned over to me and said, "I sure hope he has a sister." [laughter] He does. I checked. [laughter]

OK, where's "Rocket Man" Ron Reagan? You know, his manning the Chair in my absence has been a godsend. He is one of the nicest guys I've ever met. And it's really been interesting to watch him and Ellyn talk about the red light bill from the presiding officer's rostrum. It's been a real treat. He's tried everything: he tried flowers, he tried cake, he tried cards; I even saw him carrying your books back to your office [laughter] to hear the bill. And finally, she conceded. And you know what it took? An amendment. Congratulations, Ron, you got a good bill.

Ari Porth—someone said earlier in one of their farewell speeches, who could not like Ari Porth? He is a kind and gentle man, and carries a passion for the people he represents and has the concerns over. Lana and I got to know Ari a little better on a trip that we had made together. And I still don't understand how he can drink some of [those] goofy little tapioca drinks with milk in it. He wanted the franchise on it, and I don't think that they would ever fly in this country, Ari. But thank you for being a friend. Audrey Gibson, it's always interesting to think of how I'm going to recognize you, and then what you're going to say. But you've been a good friend from the beginning, and she does have a temporary tag on the front of her computer, because she wore me out on the temporary tag bill, so I had to get her a copy of the temporary tag. Alan Williams: you make me smile, dude. [laughter] You make me smile. You're going to do good things in the House. And of course, you've heard about the "eleven on eleven," those have included Sandy and Ralph and others, and Mike Davis, and some others and I really will cherish your friendship as we go away.

You know, I think someone had mentioned earlier in one of their farewell speeches, I won my 2002 election by a whopping 35 votes. And it was at that recount eight years ago that I became reacquainted with a young attorney from Orlando who came to Ocala to manage the recount procedures. That attorney was Dean Cannon. So it's fitting and somewhat ironic that when I leave here this week, I will be turning the House over to him. Thank you, Dean.

But what many of you do not know, that in 2002, after the election and before the Organizational Session, the Republican Caucus held a brief orientation for newly elected members. So I came to Tallahassee that November and joined the members of my class for a dinner, and was preparing to start my orientation for the next day. But to my surprise, I was sent home after dinner. My election was too close to call, and since the race had not been certified, I could not participate in the orientation, and they told me I was only penciled in. [laughter] They brought me to Tallahassee for dinner, and then they sent me back to Ocala to wait. All of my classmates went on to orientation, and I drove home. And while I drove home eight years ago, that was a very nervous ride, but my next drive home will be one of

satisfaction, that over the past 14 months, you and I have worked hard and done the best we could to help restore public trust and faith in this House.

Before we leave here tomorrow, as a farewell thought, I'd like to leave you with this: History's going to judge our services to the citizens of the state and to our individual legislative districts. I have said on many occasions, the measure of effective representation has a major flaw if the only evaluation used is the amount of money a member can bring back to their district. As a defense, some would say that's just standard operating procedure, and that's just the way the system works, which is sad, because somewhere along the way, integrity, character, and principles have become less important than delivering the bacon. So to those of you in this Chamber that will be returning in November, remember why you were elected, don't come to believe your own press releases, stay true to your core principles, and don't do anything you would find difficult to explain to your spouse, your mother, your children, or your grandchildren. Remember that true character is not what you do when others see you; it is what you do when they cannot. It's a privilege to have served with each and every one of you. Thank you, God bless you, and God bless this great state. [standing ovation]

Recessed

The House recessed at 1:45 p.m., to reconvene at 4:00 p.m.

Reconvened

The House was called to order by the Speaker at 4:06 p.m. A quorum was present [Session Vote Sequence: 1082].

Messages from the Senate

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 5, with 1 amendment, and requests the concurrence of the House.

R. Philip Twogood, Secretary

HB 5—A bill to be entitled An act relating to state road designations; designating Purple Heart Highway; directing the Department of Transportation to erect suitable markers; providing an effective date.

(Amendment Bar Code: 187514)

Senate Amendment 1 (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Doolittle Raiders Highway designated; Department of Transportation to erect suitable markers.—

(1) That portion of State Road 285 in Okaloosa and Walton Counties which is located north of College Boulevard in Niceville is designated as "Doolittle Raiders Highway."

(2) The Department of Transportation is directed to erect suitable markers designating Doolittle Raiders Highway as described in subsection (1).

Section 2. Beach Highway designated; Department of Transportation to erect suitable markers.—

(1) That portion of U.S. 331 from the Alabama state line to U.S. 98 in Walton County is designated as "The Beach Highway."

(2) The Department of Transportation is directed to erect suitable markers designating The Beach Highway as described in subsection (1).

Section 3. Command Sergeant Major Gary Lee Littrell Medal of Honor Causeway and Bridge designated; Department of Transportation to erect suitable markers.—

(1) That portion of State Road 682 (Pinellas Bayway) from State Road 699 (Gulf Boulevard) to U.S. 19 in Pinellas County is designated as "Command Sergeant Major Gary Lee Littrell Medal of Honor Causeway and Bridge."

(2) The Department of Transportation is directed to erect suitable markers designating the Command Sergeant Major Gary Lee Littrell Medal of Honor Causeway and Bridge as described in subsection (1).

Section 4. Perdido Key Parkway designated; Department of Transportation to erect suitable markers.—

(1) That portion of State Road 292 from Blue Angel Parkway to the beginning of Perdido Key Drive in Escambia County is designated as "Perdido Key Parkway."

(2) The Department of Transportation is directed to erect suitable markers designating Perdido Key Parkway as described in subsection (1).

Section 5. Andrew J. Capeletti Memorial Ramp designated; Department of Transportation to erect suitable markers.—

(1) The ramp that connects northbound Homestead Extension of Florida's Turnpike to northbound Interstate 75 in Miami-Dade County is designated as "Andrew J. Capeletti Memorial Ramp."

(2) The Department of Transportation is directed to erect suitable markers designating Andrew J. Capeletti Memorial Ramp as described in subsection (1).

Section 6. Jose Regueiro Avenue designated; Department of Transportation to erect suitable markers.—

(1) That portion of W. 20th Avenue in the City of Hialeah between W. 44th Place and Okeechobee Road in Miami-Dade County.

(2) The Department of Transportation is directed to erect suitable markers designating Jose Regueiro Avenue as described in subsection (1).

Section 7. That portion of S.W. 67th Avenue (Ludlam Road) between Bird Road and S.W. 136th Street in the City of South Miami and the Village of Pinecrest in Miami-Dade County is designated as a state historic road. No public funds shall be expended for any of the following purposes:

(1) To cut or remove any tree having a diameter at its thickest part in excess of 6 inches within 35 feet of either side of the paved surface of the road or to engage in an activity which requires the removal without the replacement of such tree.

(2) The alteration of the physical dimensions or location of S.W. 67th Avenue, the median strip thereof, or the land adjacent thereto, except:

(a) Routine or emergency utilities maintenance activities necessitated to maintain the road as a utility corridor.

(b) Modifications or improvements made to provide for vehicular ingress and egress of governmental safety vehicles.

(c) Alterations, modifications, or improvements made for the purpose of enhancing life safety vehicular use or pedestrian use, or both, of S.W. 67th Avenue, as long as such alterations, modifications, or improvements are heard in a public hearing and subsequently approved by the governing board of the local government in which such alterations, modifications, or improvements are located.

(3) Nothing in this section shall be construed to prevent the ordinary maintenance and repair of the road or structures, provided the physical dimensions and location of the road and the appearance of any structure are preserved. However, the preservation of the road shall take priority over considerations of traffic management, and the public safety shall not be construed to require alterations in the road when alternative means promoting safety, including more restrictive traffic regulations, are available.

Section 8. Trooper Claude Baker Memorial Highway designated; Department of Transportation to erect suitable markers.—

(1) That portion of State Road 45 in Sarasota County from Constitution Boulevard in Sarasota to River Road in Venice is designated as "Trooper Claude Baker Memorial Highway."

(2) The Department of Transportation is directed to erect suitable markers designating Trooper Claude Baker Memorial Highway as described in subsection (1).

Section 9. Gretchen Evans Memorial Bridge designated; Department of Transportation to erect suitable markers.—

(1) The bridge on U.S. 98 in Wakulla County at the Wakulla River is designated as "Gretchen Evans Memorial Bridge."

(2) The Department of Transportation is directed to erect suitable markers designating Gretchen Evans Memorial Bridge as described in subsection (1).

Section 10. Earl S. "Coach" Kitchings Avenue designated; Department of Transportation to erect suitable markers.—

(1) That portion of Edgewood Avenue West in Duval County from New Kings Road (U.S. 1) to Lem Turner Road is designated the "Earl S. 'Coach' Kitchings Avenue."

(2) The Department of Transportation is directed to erect suitable markers designating the Earl S. "Coach" Kitchings Avenue as described in subsection (1).

Section 11. Coach Jermaine D. Hall Memorial Highway designated; Department of Transportation to erect suitable markers.—

(1) That portion of I-95 from Baymeadows Road in Duval County to State Road 16 in St. Johns County is designated the "Coach Jermaine D. Hall Memorial Highway."

(2) The Department of Transportation is directed to erect suitable markers designating the Coach Jermaine D. Hall Memorial Highway as described in subsection (1).

Section 12. Veterans Memorial Highway designated; Department of Transportation to erect suitable markers.—

(1) That portion of State Road 26 between the Levy County line and the Alachua County line in Gilchrist County is designated as "Veterans Memorial Highway."

(2) The Department of Transportation is directed to erect suitable markers designating Veterans Memorial Highway as described in subsection (1).

Section 13. Sergeant Ricky Lord Road designated; Department of Transportation to erect suitable markers.—

(1) That portion of State Road 26 between the Levy County line and County Road 313 in Gilchrist County is designated as "Sergeant Ricky Lord Road."

(2) The Department of Transportation is directed to erect suitable markers designating Sergeant Ricky Lord Road as described in subsection (1).

Section 14. Julia Tuttle Way designated; Department of Transportation to erect suitable markers.—

(1) That portion of Biscayne Boulevard Way between S.E. 2nd Avenue and U.S. 1 (Biscayne Boulevard) in Miami-Dade County is designated as "Julia Tuttle Way."

(2) The Department of Transportation is directed to erect suitable markers designating Julia Tuttle Way as described in subsection (1).

Section 15. Cpl. Christopher Lee Poole, Jr., Memorial Highway designated; Department of Transportation to erect suitable markers.—

(1) That portion of Old U.S. Highway 441 in Mt. Dora from the intersection of State Road 19A to Alexander Street is designated the "Cpl. Christopher Lee Poole, Jr., Memorial Highway."

(2) The Department of Transportation is directed to erect suitable markers designating the Cpl. Christopher Lee Poole, Jr., Memorial Highway as described in subsection (1).

Section 16. Sgt. Frederico G. Borjas Memorial Highway designated; Department of Transportation to erect suitable markers.—

(1) That portion of State Road 44 east of Eustis beginning at the intersection of County Road 44 and ending just west of County Road 439 is designated the "Sgt. Frederico G. Borjas Memorial Highway."

(2) The Department of Transportation is directed to erect suitable markers designating the Sgt. Frederico G. Borjas Memorial Highway as described in subsection (1).

Section 17. Johnny C. Treadwell Memorial Highway designated; Department of Transportation to erect suitable markers.—

(1) That portion of State Road 46 near Sorrento from Round Lake Road to County Road 437 is designated the "Johnny C. Treadwell Memorial Highway."

(2) The Department of Transportation is directed to erect suitable markers designating the Johnny C. Treadwell Memorial Highway as described in subsection (1).

Section 18. Orange Bowl Way designated; Department of Transportation to erect suitable markers.—

(1) Northwest 77th Court in Miami Lakes is designated as "Orange Bowl Way."

(2) The Department of Transportation is directed to erect suitable markers designating Orange Bowl Way as described in subsection (1).

Section 19. Purple Heart Highway designated; Department of Transportation to erect suitable markers.—

(1) That portion of U.S. Highway 27 between the Florida-Georgia border in Gadsden County and Biscayne Bay in Miami-Dade County is designated as "Purple Heart Highway."

(2) The Department of Transportation is directed to erect suitable markers designating Purple Heart Highway as described in subsection (1).

Section 20. Heather Hurd Memorial Highway designated; Department of Transportation to erect suitable markers.—

(1) That portion of U.S. Highway 27 in Polk County between Sand Mine Road and U.S. Highway 192 is designated as "Heather Hurd Memorial Highway."

(2) The Department of Transportation is directed to erect suitable markers designating Heather Hurd Memorial Highway as described in subsection (1).

Section 21. Michael G. Rippe Parkway designated; Department of Transportation to erect suitable markers.—

(1) Upon its completion, that portion of SR 739 in Lee County known as the Metro Parkway Extension between Six Mile Cypress Parkway and U.S. 41/Alco Road is designated as "Michael G. Rippe Parkway."

(2) The Department of Transportation is directed to erect suitable markers designating Michael G. Rippe Parkway as described in subsection (1).

Section 22. K. Earl Durden Highway designated; Department of Transportation to erect suitable markers.—

(1) That portion of State Road 79 in Bay County from U.S. Highway 98 to the B.V. Buchanan Bridge in West Bay is designated as "K. Earl Durden Highway."

(2) The Department of Transportation is directed to erect suitable markers designating K. Earl Durden Highway as described in subsection (1).

Section 23. Colonel Bud Day Boulevard designated; Department of Transportation to erect suitable markers.—

(1) That portion of State Road 397 from Government Avenue to the North gate of Eglin Air Force Base in Okaloosa County is designated as "Colonel Bud Day Boulevard."

(2) The Department of Transportation is directed to erect suitable markers designating Colonel Bud Day Boulevard as described in subsection (1).

Section 24. Miss Lillie Williams Boulevard designated; Department of Transportation to erect suitable markers.—

(1) That portion of N.W. 79th Street between N.W. 6th Avenue and E. 12th Avenue in Miami-Dade County is designated as "Miss Lillie Williams Boulevard."

(2) The Department of Transportation is directed to erect suitable markers designating Miss Lillie Williams Boulevard as described in subsection (1).

Section 25. Army Sergeant Daniel L. McCall Memorial Highway designated; Department of Transportation to erect suitable markers.—

(1) That portion of U.S. Highway 90 between Avalon Boulevard and Pace Patriot Boulevard in the City of Pace in Santa Rosa County is designated as "Army Sergeant Daniel L. McCall Memorial Highway."

(2) The Department of Transportation is directed to erect suitable markers designating Army Sergeant Daniel L. McCall Memorial Highway as described in subsection (1).

Section 26. Anthony J. Perez Street designated; Department of Transportation to erect suitable markers.—

(1) That portion of 40th Street/Bird Road between 102nd Avenue and 117th Avenue in Miami-Dade County is designated as "Anthony J. Perez Street."

(2) The Department of Transportation is directed to erect suitable markers designating Anthony J. Perez Street as described in subsection (1).

Section 27. John Torrese Family Road designated; Department of Transportation to erect suitable markers.—

(1) That portion of State Road 997 between S.W. 288th Street and S.W. 344th Street in Miami-Dade County is designated as "John Torrese Family Road."

(2) The Department of Transportation is directed to erect suitable markers designating John Torrese Family Road as described in subsection (1).

Section 28. Manuel Capo Way designated; Department of Transportation to erect suitable markers.—

(1) That portion of S.W. 88th Street between S.W. 137th Avenue and S.W. 142nd Avenue in Miami-Dade County is designated as "Manuel Capo Way."

(2) The Department of Transportation is directed to erect suitable markers designating Manuel Capo Way as described in subsection (1).

Section 29. Manuel Capo Boulevard designated; Department of Transportation to erect suitable markers.—

(1) That portion of S.W. 8th Street between S.W. 24th Avenue and S.W. 27th Avenue in Miami-Dade County is designated as "Manuel Capo Boulevard."

(2) The Department of Transportation is directed to erect suitable markers designating Manuel Capo Boulevard as described in subsection (1).

Section 30. Lt. Colonel Charles Brown Memorial Highway designated; Department of Transportation to erect suitable markers.—

(1) That portion of U.S. Highway 1 (State Road 5) between S.W. 104th Street and S.W. 112th Street in Miami-Dade County is designated as "Lt. Colonel Charles Brown Memorial Highway."

(2) The Department of Transportation is directed to erect suitable markers designating Lt. Colonel Charles Brown Memorial Highway as described in subsection (1).

Section 31. Subsection (1) of section 585.61, Florida Statutes, is amended to read:

585.61 Animal disease diagnostic laboratories.—

(1) There is hereby created and established an animal disease diagnostic laboratory in Osceola County and Suwannee County. The laboratory complex in Osceola County is designated as the "Bronson Animal Disease Diagnostic Laboratory."

Section 32. Section 17 of chapter 2008-256, Laws of Florida, is amended to read:

Section 17. Dr. Jose A. Marques Boulevard designated; Department of Transportation to erect suitable markers.—

(1) That portion of 8th Street between S.W. 107th Avenue and S.W. 127th Avenue in Miami-Dade County is designated as "Dr. Jose A. Marques Boulevard."

(2) The Department of Transportation is directed to erect suitable markers designating Dr. Jose A. Marques Boulevard as described in subsection (1).

Section 33. Kenneth H. "Buddy" MacKay and Jim H. Williams Bridge designated; Department of Transportation to erect suitable markers.—

(1) The bridge on S.W. 17th Street between S.W. 12th Avenue and S. Pine Avenue in the City of Ocala in Marion County is designated as "Kenneth H. 'Buddy' MacKay and Jim H. Williams Bridge."

(2) The Department of Transportation is directed to erect suitable markers designating the Kenneth H. "Buddy" MacKay and Jim H. Williams Bridge as described in subsection (1).

Section 34. Seminole Way designated; Department of Transportation to erect suitable markers.—

(1) That portion of State Road 417 between Interstate 4 and the Seminole County southern boundary in Seminole County is designated as "Seminole Way."

(2) The Department of Transportation is directed to erect suitable markers designating Seminole Way as described in subsection (1).

Section 35. Judge Perry Wells Highway designated; Department of Transportation to erect suitable markers.—

(1) That portion of State Road 277 between State Road 79 and U.S. Highway 90/State Road 10/Jackson Avenue in Washington County is designated as "Judge Perry Wells Highway."

(2) The Department of Transportation is directed to erect suitable markers designating Judge Perry Wells Highway as described in subsection (1).

Section 36. Vernon Bridge designated; Department of Transportation to erect suitable markers.—

(1) Upon completion of construction, Bridge number 610147 and Bridge number 610146 on State Road 79 north of the City of Vernon in Washington County are designated as "Vernon Bridge."

(2) The Department of Transportation is directed to erect suitable markers designating Vernon Bridge as described in subsection (1).

Section 37. Richard Raczkoski Memorial Highway designated; Department of Transportation to erect suitable markers.—

(1) That portion of State Road 60 between 43rd Avenue in Vero Beach and Interstate 95 in Indian River County is designated as "Richard Raczkoski Memorial Highway."

(2) The Department of Transportation is directed to erect suitable markers designating Richard Raczkoski Memorial Highway as described in subsection (1).

Section 38. Doctor Thomas Eliot "Doc Tommy" McBride Road designated; Department of Transportation to erect suitable markers.—

(1) That portion of County Road 435 between Kelly Park Road and Clarcona-Ocoee Road in Orange County is designated as "Doctor Thomas Eliot 'Doc Tommy' McBride Road."

(2) The Department of Transportation is directed to erect suitable markers designating Doctor Thomas Eliot "Doc Tommy" McBride Road as described in subsection (1).

Section 39. Herbert Lee Simon Avenue designated; Department of Transportation to erect suitable markers.—

(1) That portion of S.W. 27th Avenue (State Road 9) between S.W. 22nd Street and U.S. 1 in the City of Miami in Miami-Dade County is designated as "Herbert Lee Simon Avenue."

(2) The Department of Transportation is directed to erect suitable markers designating Herbert Lee Simon Avenue as described in subsection (1).

Section 40. Otis Beckford Memorial Highway designated; Department of Transportation to erect suitable markers.—

(1) That portion of State Road 200 between the Marion/Citrus County line and County Road 484 in Marion County is designated as "Otis Beckford Memorial Highway."

(2) The Department of Transportation is directed to erect suitable markers designating Otis Beckford Memorial Highway as described in subsection (1).

Section 41. Blue Star Memorial Highway designated; Department of Transportation to erect suitable markers.—

(1) That portion of State Road 674 between U.S. Highway 301/State Road 43 and Interstate 75/State Road 93A in Hillsborough County is designated as "Blue Star Memorial Highway."

(2) The Department of Transportation is directed to erect suitable markers designating Blue Star Memorial Highway as described in subsection (1).

Section 42. Historic Biscayne Boulevard: Gateway to Miami designated; Department of Transportation to erect suitable markers.—

(1) That portion of U.S. 1 (Biscayne Boulevard) between N.E. 87th Street and S.E. 3rd Street in Miami-Dade County is designated as "Historic Biscayne Boulevard: Gateway to Miami."

(2) The Department of Transportation is directed to erect suitable markers designating Historic Biscayne Boulevard: Gateway to Miami as described in subsection (1).

Section 43. Biscayne Park Way designated; Department of Transportation to erect suitable markers.—

(1) That portion of Northeast 6th Avenue between Northeast 113th and 121st Street in Miami-Dade County is designated as "Biscayne Park Way."

(2) The Department of Transportation is directed to erect suitable markers designating Biscayne Park Way as described in subsection (1).

Section 44. Deputy Victor J. "Skip" MacDonald, Jr. Memorial Highway designated; Department of Transportation to erect suitable markers.—

(1) That portion of State Road 51 between U.S. Highway 19 at Tennessee and the Dixie County line in Taylor County is designated as "Deputy Victor J. 'Skip' MacDonald, Jr. Memorial Highway."

(2) The Department of Transportation is directed to erect suitable markers designating Deputy Victor J. "Skip" MacDonald, Jr. Memorial Highway as described in subsection (1).

Section 45. Father Gerard Jean-Juste Street designated; Department of Transportation to erect suitable markers.—

(1) That portion of N.W. 54th Street in Miami-Dade County between N.W. 2nd Avenue and N.W. 3rd Avenue in Little Haiti is designated "Father Gerard Jean-Juste Street."

(2) The Department of Transportation is directed to erect suitable markers designating Father Gerard Jean-Juste Street as described in subsection (1).

Section 46. Pastors Dr. Randall and Sharlene Holts Street designated; Department of Transportation to erect suitable markers.—

(1) That portion of N.W. 103rd Street/State Road 932 between N.W. 17th Avenue and N.W. 27th Avenue in Miami-Dade County is designated "Pastors Dr. Randall and Sharlene Holts Street."

(2) The Department of Transportation is directed to erect suitable markers designating Pastors Dr. Randall and Sharlene Holts Street as described in subsection (1).

Section 47. Cuban-American Association of Civil Engineers Way designated; Department of Transportation to erect suitable markers.—

(1) That portion of N.W. 107th Avenue in Miami-Dade County between Flagler Street and N.W. 7th Street is designated "Cuban-American Association of Civil Engineers Way."

(2) The Department of Transportation is directed to erect suitable markers designating Cuban-American Association of Civil Engineers Way as described in subsection (1).

Section 48. Dr. Edward Cole Highway designated; Department of Transportation to erect suitable markers.—

(1) That portion of Interstate 175 in Pinellas County between Interstate 275 and 4th Street is designated as "Dr. Edward Cole Highway."

(2) The Department of Transportation is directed to erect suitable markers designating Dr. Edward Cole Highway as described in subsection (1).

Section 49. This act shall take effect July 1, 2010.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause and insert:

A bill to be entitled

An act relating to road, bridge, and building designations; designating Doolittle Raiders Highway in Okaloosa and Walton Counties; designating Beach Highway in Walton County; designating Command Sergeant Major Gary Lee Littrell Medal of Honor Causeway and Bridge in Pinellas County; designating Perdido Key Parkway in Escambia County; designating Andrew J. Capeletti Memorial Ramp in Miami-Dade County; designating Jose Regueiro Avenue in Miami-Dade County; designating a portion of S.W. 67th Avenue in Miami-Dade County as a state historic road; restricting use of public funds for projects related to such road; designating Trooper Claude Baker Memorial Highway in Sarasota County; designating Gretchen Evans Memorial Bridge in Wakulla County; designating Earl S. "Coach" Kitchings Avenue in Duval County; designating Coach Jermaine D. Hall Memorial Highway in St. Johns County; designating Veterans Memorial Highway in Gilchrist County; designating Sergeant Ricky Lord Road in Gilchrist County; designating Julia Tuttle Way in Miami-Dade County; designating Cpl. Christopher Lee Poole, Jr., Memorial Highway in Lake County; designating Sgt. Frederico G. Borjas Memorial Highway in Lake County; designating Johnny C. Treadwell Memorial Highway in Lake County; designating Orange Bowl Way in Miami-Dade County; designating Purple Heart Highway; designating Heather Hurd Memorial Highway in Polk County; designating Michael G. Rippe Parkway in Lee County; designating K. Earl Durden Highway in Bay County; designating Colonel Bud Day Boulevard in Okaloosa County; designating Miss Lillie Williams Boulevard in Miami-Dade County; designating Army Sergeant Daniel L. McCall Highway in Santa Rosa County; designating Anthony J. Perez Street in Miami-Dade County; designating John Torrese Family Road in Miami-Dade County; designating Manuel Capo Way in Miami-Dade County; designating Manuel Capo Boulevard in Miami-Dade County; designating Lt. Colonel Charles Brown Memorial Highway in Miami-Dade County; amending s. 585.61, F.S.; designating the Bronson Animal Disease Diagnostic Laboratory; amending s. 17, chapter 2008-256, Laws of Florida; revising the designation of Jose A. Marques Boulevard in Miami-Dade County; designating Kenneth H. "Buddy" MacKay, Jim H. Williams Bridge, and Otis Beckford Memorial Highway in Marion County; designating Seminole Way in Seminole County; designating Judge Perry Wells Highway and Vernon Bridge in Washington County; designating Richard Raczkoski Memorial Highway in Indian River County; designating Doctor Thomas Eliot "Doc Tommy" McBride Road in Orange County; designating Herbert Lee Simon Avenue in Miami-Dade County; designating Blue Star Memorial Highway in Hillsborough County; designating Historic Biscayne Boulevard: Gateway to Miami in Miami-Dade County; designating Biscayne Park Way in Miami-Dade County; designating Deputy Victor J. "Skip" MacDonald, Jr. Memorial Highway in Taylor County; designating Father Gerard Jean-Juste Street and Pastors Dr. Randall and

Sharlene Holts Street in Miami-Dade County; designating Cuban-American Association of Civil Engineers Way in Miami-Dade County; designating Dr. Edward Cole Highway in Pinellas County; directing the Department of Transportation to erect suitable markers; providing an effective date.

Rep. Grimsley moved that the House concur in **Senate Amendment 1**.

On motion by Rep. Galvano, further consideration of **HB 5** was temporarily postponed, pending on motion to concur in Senate Amendment 1.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 131, with 1 amendment, and requests the concurrence of the House.

R. Philip Twogood, Secretary

CS/CS/HB 131—A bill to be entitled An act relating to absent uniformed services and overseas voters; amending s. 97.021, F.S.; defining the term "absent uniformed services voter"; revising the definition of the term "overseas voter"; amending s. 98.0981, F.S., relating to statewide voter information; conforming a cross-reference; amending s. 101.62, F.S.; requiring the supervisor of elections to notify the absent uniformed services voter and overseas voter of the free access system for determining absentee ballot status; providing a timeframe for an absentee ballot to be sent to each absent uniformed services voter and overseas voter; providing acceptable formats for requesting an absentee ballot; modifying circumstances under which the department is authorized to prescribe rules for a ballot to be sent to absent uniformed services voters and overseas voters; amending s. 101.694, F.S.; conforming timeframes for sending an absentee ballot upon receipt of federal postcard application to those prescribed in s. 101.62, F.S.; deleting the requirement for a federal postcard application request to be effective through two regularly scheduled general elections pursuant to changes in federal law; amending s. 101.6952, F.S.; revising responsibilities of the supervisor of elections when an absent uniformed services voter's or overseas voter's request for an absentee ballot includes an e-mail address; requiring the supervisor to record the e-mail address in the absentee ballot record and, via e-mail, confirm that the request was received, inform the voter of the estimated date the absentee ballot will be sent, and notify the voter when the voted absentee ballot is received; amending s. 379.352, F.S., relating to recreational licenses and permits; conforming cross-references; providing effective dates.

(Amendment Bar Code: 136818)

Senate Amendment 3 (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 97.0115, Florida Statutes, is created to read:

97.0115 Preemption.—All matters set forth in chapters 97-105 are preempted to the state, except as otherwise specifically authorized by state or federal law. The conduct of municipal elections shall be governed by s. 100.3605.

Section 2. Present subsections (2) through (43) of section 97.021, Florida Statutes, are renumbered as subsections (3) through (44), respectively, a new subsection (2) is added to that section, and present subsection (22) of that section is amended, to read:

97.021 Definitions.—For the purposes of this code, except where the context clearly indicates otherwise, the term:

(2) "Absent uniformed services voter" means:

(a) A member of a uniformed service on active duty who, by reason of such active duty, is absent from the place of residence where the member is otherwise qualified to vote;

(b) A member of the merchant marine who, by reason of service in the merchant marine, is absent from the place of residence where the member is otherwise qualified to vote; or

(c) A spouse or dependent of a member referred to in paragraph (a) or paragraph (b) who, by reason of the active duty or service of the member, is absent from the place of residence where the spouse or dependent is otherwise qualified to vote.

(23)(22) "Overseas voter" means:

(a) An absent uniformed services voter who, by reason of active duty or service, is absent from the United States on the date of the election involved ~~Members of the uniformed services while in the active service who are permanent residents of the state and are temporarily residing outside the territorial limits of the United States and the District of Columbia;~~

(b) A person who resides outside the United States and is qualified to vote in the last place in which the person was domiciled before leaving the United States ~~Members of the Merchant Marine of the United States who are permanent residents of the state and are temporarily residing outside the territorial limits of the United States and the District of Columbia; or and~~

(c) A person who resides outside the United States and, but for such residence, would be qualified to vote in the last place in which the person was domiciled before leaving the United States ~~Other citizens of the United States who are permanent residents of the state and are temporarily residing outside the territorial limits of the United States and the District of Columbia,~~

~~who are qualified and registered to vote as provided by law.~~

Section 3. Subsection (3) of section 98.0981, Florida Statutes, is amended to read:

98.0981 Reports; voting history; statewide voter registration system information; precinct-level election results; book closing statistics.—

(3) PRECINCT-LEVEL BOOK CLOSING STATISTICS.—After the date of book closing but before the date of an election as defined in s. 97.021 ~~s. 97.021(10)~~ to fill a national, state, county, or district office, or to vote on a proposed constitutional amendment, the department shall compile the following precinct-level statistical data for each county:

(a) Precinct numbers.

(b) Total number of active registered voters by party for each precinct.

Section 4. Section 101.111, Florida Statutes, is amended to read:

101.111 ~~Voter challenges Person desiring to vote may be challenged; challenger to execute oath; oath of person challenged; determination of challenge.—~~

(1)(a) Any registered elector or poll watcher of a county may challenge the right of a person to vote in that county. The challenge must be in writing and contain the following oath, which shall be delivered to the clerk or inspector:

OATH OF PERSON ENTERING CHALLENGE

State of Florida

County of

I do solemnly swear or affirm that my name is; that I am a member of the Party; that I am a registered voter or pollwatcher; that my residence address is, in the municipality of; and that I have reason to believe that is attempting to vote illegally and the reasons for my belief are set forth herein to wit:

...(Signature of person challenging voter)...

Sworn and subscribed to before me this day of, ...(year)...

...(Clerk of election)...

(b)1. The clerk or inspector shall immediately deliver to the challenged person a copy of the oath of the person entering the challenge, and the challenged voter shall be allowed to cast a provisional ballot in accordance with s. 101.048, except as provided in subparagraph 2.

2. If the basis for the challenge is that the person's legal residence is not in that precinct, the person shall first be given the opportunity to execute a change of legal residence in order to be able to vote a regular ballot in accordance with s. 101.045(2). If the change of legal residence is such that the person is then properly registered for that precinct, the person shall be allowed to vote a regular ballot. If the change of legal residence places the person in another precinct, the person shall be directed to the proper precinct to vote. If such

person insists that he or she is currently in the proper precinct, the person shall be allowed to vote a provisional ballot in accordance with s. 101.048.

(c) Alternatively, a challenge in accordance with this section may be filed in advance with the supervisor of elections no sooner than 30 days before an election. The supervisor shall promptly provide the election board in the challenged voter's precinct with a copy of the oath of the person entering the challenge. The challenged voter shall be allowed to cast a provisional ballot in accordance with s. 101.048, subject to the provisions of subparagraph (b)2.

(2) Any elector or poll watcher filing a frivolous challenge of any person's right to vote commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083; however, electors or poll watchers shall not be subject to liability for any action taken in good faith and in furtherance of any activity or duty permitted of such electors or poll watchers by law. Each instance where any elector or poll watcher files a frivolous challenge of any person's right to vote constitutes a separate offense.

Section 5. Subsection (3) of section 101.56075, Florida Statutes, is amended to read:

101.56075 Voting methods.—

(3) By ~~2016~~ 2012, persons with disabilities shall vote on a voter interface device that meets the voter accessibility requirements for individuals with disabilities under s. 301 of the federal Help America Vote Act of 2002 and s. 101.56062 which are consistent with subsection (1) of this section.

Section 6. Subsections (2) and (5) of section 101.5612, Florida Statutes, are amended to read:

101.5612 Testing of tabulating equipment.—

(2) On any day not more than 10 days prior to the commencement of early voting as provided in s. 101.657, the supervisor of elections shall have the automatic tabulating equipment publicly tested to ascertain that the equipment will correctly count the votes cast for all offices and on all measures. If the ballots to be used at the polling place on election day are not available at the time of the testing, the supervisor may conduct an additional test not more than 10 days before election day. Public notice of the time and place of the test shall be given at least 48 hours prior thereto by publication on the supervisor of elections' website and once in one or more newspapers of general circulation in the county or, if there is no newspaper of general circulation in the county, by posting the notice in at least four conspicuous places in the county. The supervisor or the municipal elections official may, at the time of qualifying, give written notice of the time and location of the public preelection test to each candidate qualifying with that office and obtain a signed receipt that the notice has been given. The Department of State shall give written notice to each statewide candidate at the time of qualifying, or immediately at the end of qualifying, that the voting equipment will be tested and advise each candidate to contact the county supervisor of elections as to the time and location of the public preelection test. The supervisor or the municipal elections official shall, at least 15 days prior to the commencement of early voting as provided in s. 101.657, send written notice by certified mail to the county party chair of each political party and to all candidates for other than statewide office whose names appear on the ballot in the county and who did not receive written notification from the supervisor or municipal elections official at the time of qualifying, stating the time and location of the public preelection test of the automatic tabulating equipment. The canvassing board shall convene, and each member of the canvassing board shall certify to the accuracy of the test. For the test, the canvassing board may designate one member to represent it. The test shall be open to representatives of the political parties, the press, and the public. Each political party may designate one person with expertise in the computer field who shall be allowed in the central counting room when all tests are being conducted and when the official votes are being counted. The designee shall not interfere with the normal operation of the canvassing board.

(5) Any tests involving marksense ballots pursuant to this section shall employ test preprinted ballots created by the supervisor of elections using actual ballots that have been printed for the election. ~~If preprinted ballots will be used in the election, and ballot-on-demand ballots will be used in the election, the supervisor shall also create test ballots using the, if ballot-on-demand technology that will be used to produce ballots in the election, using the same paper stock as will be used for ballots in the election or both.~~

Section 7. Subsections (1), (3), (4), and (5) of section 101.62, Florida Statutes, are amended to read:

101.62 Request for absentee ballots.—

(1)(a) The supervisor ~~shall may~~ accept a request for an absentee ballot from an elector in person or in writing. ~~Except as provided in s. 101.694, One request shall be deemed sufficient to receive an absentee ballot for all elections through the next two regularly scheduled general election elections,~~ unless the elector or the elector's designee indicates at the time the request is made the elections for which the elector desires to receive an absentee ballot. Such request may be considered canceled when any first-class mail sent by the supervisor to the elector is returned as undeliverable.

(b) The supervisor may accept a written or telephonic request for an absentee ballot from the elector, or, if directly instructed by the elector, a member of the elector's immediate family, or the elector's legal guardian. For purposes of this section, the term "immediate family" has the same meaning as specified in paragraph (4)(b). The person making the request must disclose:

1. The name of the elector for whom the ballot is requested.;
2. The elector's address.;
3. The elector's date of birth.;
4. The requester's name.;
5. The requester's address.;
6. The requester's driver's license number, if available.;
7. The requester's relationship to the elector.;
8. The requester's signature (written requests only).

(c) Upon receiving a request for an absentee ballot from an absent voter, the supervisor of elections shall notify the voter of the free access system that has been designated by the department for determining the status of his or her absentee ballot.

(3) For each request for an absentee ballot received, the supervisor shall record the date the request was made, the date the absentee ballot was delivered to the voter or the voter's designee or the date the absentee ballot was delivered to the post office or other carrier, the date the ballot was received by the supervisor, and such other information he or she may deem necessary. This information shall be provided in electronic format as provided by rule adopted by the division. The information shall be updated and made available no later than noon of each day beginning 60 days before the primary until 15 days after the general election and shall be contemporaneously provided to the division. This information shall be confidential and exempt from the provisions of s. 119.07(1) and shall be made available to or reproduced only for the voter requesting the ballot, a canvassing board, an election official, a political party or official thereof, a candidate who has filed qualification papers and is opposed in an upcoming election, and registered political committees or registered committees of continuous existence, for political purposes only.

(4)(a) No later than 45 days before each election, the supervisor of elections shall send an absentee ballot as provided in subparagraph (b)2. to each absent uniformed services voter and to each overseas voter who has requested an absentee ballot. To each absent qualified elector overseas who has requested an absentee ballot, the supervisor of elections shall mail an absentee ballot not less than 35 days before the primary election and not less than 45 days before the general election.

(b) The supervisor shall provide an absentee ballot to each elector by whom a request for that ballot has been made by one of the following means:

1. By nonforwardable, return-if-undeliverable mail to the elector's current mailing address on file with the supervisor, unless the elector specifies in the request that:
 - a. The elector is absent from the county and does not plan to return before the day of the election;
 - b. The elector is temporarily unable to occupy the residence because of hurricane, tornado, flood, fire, or other emergency or natural disaster; or
 - c. The elector is in a hospital, assisted living facility, nursing home, short-term medical or rehabilitation facility, or correctional facility,

in which case the supervisor shall mail the ballot by nonforwardable, return-if-undeliverable mail to any other address the elector specifies in the request.

2. By forwardable mail, e-mail, or facsimile machine transmission to absent uniformed services voters and overseas voters who are entitled to vote

~~by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act. The absent uniformed services voter or overseas voter may designate in the absentee ballot request the preferred method of transmission. If the voter does not designate the method of transmission, the absentee ballot shall be mailed.~~

3. By personal delivery before 7 p.m. on election day to the elector, upon presentation of the identification required in s. 101.043.

4. By delivery to a designee on election day or up to 5 days prior to the day of an election. Any elector may designate in writing a person to pick up the ballot for the elector; however, the person designated may not pick up more than two absentee ballots per election, other than the designee's own ballot, except that additional ballots may be picked up for members of the designee's immediate family. For purposes of this section, "immediate family" means the designee's spouse or the parent, child, grandparent, or sibling of the designee or of the designee's spouse. The designee shall provide to the supervisor the written authorization by the elector and a picture identification of the designee and must complete an affidavit. The designee shall state in the affidavit that the designee is authorized by the elector to pick up that ballot and shall indicate if the elector is a member of the designee's immediate family and, if so, the relationship. The department shall prescribe the form of the affidavit. If the supervisor is satisfied that the designee is authorized to pick up the ballot and that the signature of the elector on the written authorization matches the signature of the elector on file, the supervisor shall give the ballot to that designee for delivery to the elector.

(5) ~~If in the event that the department Elections Canvassing Commission is unable to certify candidates for the results of an election for a state office in time to comply with paragraph (4)(a) subsection (4), the Department of State is authorized to prescribe rules for a ballot to be sent to absent uniformed services voters and electors overseas voters.~~

Section 8. Subsection (1) of section 101.694, Florida Statutes, is amended to read:

101.694 Mailing of ballots upon receipt of federal postcard application.—

(1) Upon receipt of a federal postcard application for an absentee ballot executed by a person whose registration is in order or whose application is sufficient to register or update the registration of that person, the supervisor shall send the ballot in accordance with s. 101.62(4) ~~mail to the applicant a ballot, if the ballots are available for mailing. The federal postcard application request for an absentee ballot shall be effective for all elections through the next two regularly scheduled general elections.~~

Section 9. Effective July 1, 2010, section 101.6952, Florida Statutes, is amended to read:

101.6952 Absentee ballots for absent uniformed services and overseas voters.—

(1) If an absent uniformed services voter's or an overseas voter's request for an absentee ballot includes an e-mail address, the supervisor of elections shall:

- (a) Record the voter's e-mail address in the absentee ballot record;
- (b) Confirm by e-mail that the absentee ballot request was received and include in that e-mail the estimated date the absentee ballot will be sent to the voter; and

(c) Notify the voter by e-mail when the voted absentee ballot is received by the supervisor of elections inform the voter of the names of candidates who will be on the ballots via electronic transmission. The supervisor of elections shall e-mail to the voter the list of candidates for the primary and general election not later than 30 days before each election.

(2) For absentee ballots received from absent uniformed services voters or overseas voters, there is a presumption that the envelope was mailed on the date stated on the outside of the return envelope, regardless of the absence of a postmark on the mailed envelope or the existence of a postmark date that is later than the date of the election.

Section 10. Subsection (2) of section 101.71, Florida Statutes, is amended to read:

101.71 Polling place.—

(2) Notwithstanding the provisions of subsection (1), whenever the supervisor of elections of any county determines that the accommodations for holding any election at a polling place designated for any precinct in the county are unavailable, are inadequate for the expeditious and efficient

housing and handling of voting and voting paraphernalia, or do not comply with the requirements of s. 101.715, the supervisor shall, not less than 30 days prior to the holding of an election, provide for the voting place for such precinct to be moved to another site that is accessible to the public on election day in said precinct or, if such is not available, to another site that is accessible to the public on election day in a contiguous precinct. If such action of the supervisor results in the voting place for two or more precincts being located for the purposes of an election in one building, the supervisor of elections shall provide adequate supplies, equipment, and personnel are available to accommodate the voters for the precincts that are collocated ~~voting places for the several precincts involved shall be established and maintained separate from each other in said building.~~ When any supervisor moves any polling place pursuant to this subsection, the supervisor shall, not more than 30 days or fewer than 7 days prior to the holding of an election, give notice of the change of the polling place for the precinct involved, with clear description of the voting place to which changed, at least once in a newspaper of general circulation in the said county and on the supervisor of elections' website. A notice of the change of the polling place involved shall be mailed, at least 14 days prior to an election, to each registered elector or to each household in which there is a registered elector.

Section 11. Subsection (1) of section 102.012, Florida Statutes, is amended to read:

102.012 Inspectors and clerks to conduct elections.—

(1)(a) The supervisor of elections of each county, at least 20 days prior to the holding of any election, shall appoint an election board comprised of poll workers who serve as clerks or inspectors for each precinct in the county. The clerk shall be in charge of, and responsible for, seeing that the election board carries out its duties and responsibilities. Each inspector and each clerk shall take and subscribe to an oath or affirmation, which shall be written or printed, to the effect that he or she will perform the duties of inspector or clerk of election, respectively, according to law and will endeavor to prevent all fraud, deceit, or abuse in conducting the election. The oath may be taken before an officer authorized to administer oaths or before any of the persons who are to act as inspectors, one of them to swear the others, and one of the others sworn thus, in turn, to administer the oath to the one who has not been sworn. The oaths shall be returned with the poll list and the returns of the election to the supervisor. In all questions that may arise before the members of an election board, the decision of a majority of them shall decide the question. The supervisor of elections of each county shall be responsible for the attendance and diligent performance of his or her duties by each clerk and inspector.

(b) If two or more precincts share the same building and voting place, the supervisor of elections may appoint one election board for the collocated precincts. The supervisor shall provide a sufficient number of poll workers are appointed to adequately handle the processing of the voters in the collocated precincts.

Section 12. Section 102.111, Florida Statutes, is amended to read:

102.111 Elections Canvassing Commission.—

(1) The Elections Canvassing Commission shall consist of the Governor and two members of the Cabinet selected by the Governor, all of whom shall serve ex officio. If a member of the ~~Elections Canvassing~~ commission is unable to serve for any reason, the Governor shall appoint a remaining member of the Cabinet. If there is a further vacancy, the remaining members of the commission shall agree on another elected official to fill the vacancy.

(2) The Elections Canvassing Commission shall meet at 9 a.m. on the 9th day after a primary election and at 9 a.m. on the 14th day after a general election to, as soon as the official results are compiled from all counties, certify the returns of the election and determine and declare who has been elected for each federal, state, and multicounty office. If a member of a county canvassing board that was constituted pursuant to s. 102.141 determines, within 5 days after the certification by the Elections Canvassing Commission, that a typographical error occurred in the official returns of the county, the correction of which could result in a change in the outcome of an election, the county canvassing board must certify corrected returns to the Department of State within 24 hours, and the Elections Canvassing Commission must correct and recertify the election returns as soon as practicable.

(3)(2) The Division of Elections shall provide the staff services required by the Elections Canvassing Commission.

Section 13. Subsection (2) of section 102.112, Florida Statutes, is amended to read:

102.112 Deadline for submission of county returns to the Department of State.—

(2) Returns must be filed by 5 p.m. on the 7th day following a primary election and by noon on the 12th day following the general election. However, the Department of State may correct typographical errors, including the transposition of numbers, in any returns submitted to the Department of State pursuant to s. 102.111(2) ~~s. 102.111(1).~~

Section 14. Subsections (2) and (7) of section 102.141, Florida Statutes, are amended to read:

102.141 County canvassing board; duties.—

(2) The county canvassing board shall meet in a building accessible to the public in the county where the election occurred at a time and place to be designated by the supervisor of elections to publicly canvass the absentee electors' ballots as provided for in s. 101.68 and provisional ballots as provided by ss. 101.048, 101.049, and 101.6925. Provisional ballots cast pursuant to s. 101.049 shall be canvassed in a manner that votes for candidates and issues on those ballots can be segregated from other votes. Public notice of the time and place at which the county canvassing board shall meet to canvass the absentee electors' ballots and provisional ballots shall be given at least 48 hours prior thereto by publication on the supervisor of elections' website and once in one or more newspapers of general circulation in the county or, if there is no newspaper of general circulation in the county, by posting such notice in at least four conspicuous places in the county. As soon as the absentee electors' ballots and the provisional ballots are canvassed, the board shall proceed to publicly canvass the vote given each candidate, nominee, constitutional amendment, or other measure submitted to the electorate of the county, as shown by the returns then on file in the office of the supervisor of elections ~~and the office of the county court judge.~~

(7) If the unofficial returns reflect that a candidate for any office was defeated or eliminated by one-half of a percent or less of the votes cast for such office, that a candidate for retention to a judicial office was retained or not retained by one-half of a percent or less of the votes cast on the question of retention, or that a measure appearing on the ballot was approved or rejected by one-half of a percent or less of the votes cast on such measure, ~~the board responsible for certifying the results of the vote on such race or measure shall order a recount~~ shall be ordered of the votes cast with respect to such office or measure. ~~The Secretary of State Elections Canvassing Commission is the board responsible for ordering recounts in federal, state, and multicounty races~~ recounts. The county canvassing board or the local board responsible for certifying the election is responsible for ordering recounts in all other races. A recount need not be ordered with respect to the returns for any office, however, if the candidate or candidates defeated or eliminated from contention for such office by one-half of a percent or less of the votes cast for such office request in writing that a recount not be made.

(a) Each canvassing board responsible for conducting a recount shall put each marksense ballot through automatic tabulating equipment and determine whether the returns correctly reflect the votes cast. If any marksense ballot is physically damaged so that it cannot be properly counted by the automatic tabulating equipment during the recount, a true duplicate shall be made of the damaged ballot pursuant to the procedures in s. 101.5614(5). Immediately before the start of the recount, a test of the tabulating equipment shall be conducted as provided in s. 101.5612. If the test indicates no error, the recount tabulation of the ballots cast shall be presumed correct and such votes shall be canvassed accordingly. If an error is detected, the cause therefor shall be ascertained and corrected and the recount repeated, as necessary. The canvassing board shall immediately report the error, along with the cause of the error and the corrective measures being taken, to the Department of State. No later than 11 days after the election, the canvassing board shall file a separate incident report with the Department of State, detailing the resolution of the matter and identifying any measures that will avoid a future recurrence of the error.

(b) Each canvassing board responsible for conducting a recount where touchscreen ballots were used shall examine the counters on the precinct

tabulators to ensure that the total of the returns on the precinct tabulators equals the overall election return. If there is a discrepancy between the overall election return and the counters of the precinct tabulators, the counters of the precinct tabulators shall be presumed correct and such votes shall be canvassed accordingly.

(c) The canvassing board shall submit on forms or in formats provided by the division a second set of unofficial returns to the Department of State for each federal, statewide, state, or multicounty office or ballot measure. The returns shall be filed no later than 3 p.m. on the 5th ~~4th~~ day after any primary election and no later than 3 p.m. on the 9th ~~ninth~~ day after any general election in which a recount was ordered by the Secretary of State conducted pursuant to this subsection. If the canvassing board is unable to complete the recount prescribed in this subsection by the deadline, the second set of unofficial returns submitted by the canvassing board shall be identical to the initial unofficial returns and the submission shall also include a detailed explanation of why it was unable to timely complete the recount. However, the canvassing board shall complete the recount prescribed in this subsection, along with any manual recount prescribed in s. 102.166, and certify election returns in accordance with the requirements of this chapter.

(d) The Department of State shall adopt detailed rules prescribing additional recount procedures for each certified voting system, which shall be uniform to the extent practicable.

Section 15. Subsection (1) of section 102.166, Florida Statutes, is amended to read:

102.166 Manual recounts of overvotes and undervotes.—

(1) If the second set of unofficial returns pursuant to s. 102.141 indicates that a candidate for any office was defeated or eliminated by one-quarter of a percent or less of the votes cast for such office, that a candidate for retention to a judicial office was retained or not retained by one-quarter of a percent or less of the votes cast on the question of retention, or that a measure appearing on the ballot was approved or rejected by one-quarter of a percent or less of the votes cast on such measure, the board responsible for certifying the results of the vote on such race or measure shall order a manual recount of the overvotes and undervotes cast in the entire geographic jurisdiction of such office or ballot measure shall be ordered unless: A manual recount may not be ordered, however, if

(a) The candidate or candidates defeated or eliminated from contention by one-quarter of 1 percent or fewer of the votes cast for such office request in writing that a recount not be made; or

(b) The number of overvotes and undervotes, and provisional ballots is fewer than the number of votes needed to change the outcome of the election.

The Secretary of State is responsible for ordering a manual recount for federal, state, and multicounty races. The county canvassing board or local board responsible for certifying the election is responsible for ordering a manual recount for all other races.

Section 16. Subsection (3) of section 106.25, Florida Statutes, is amended to read:

106.25 Reports of alleged violations to Florida Elections Commission; disposition of findings.—

(3) For the purposes of commission jurisdiction, a violation shall mean the willful performance of an act prohibited by this chapter or chapter 104 or the willful failure to perform an act required by this chapter or chapter 104. Willfulness is a determination of fact; however, at the request of the respondent at any time after probable cause is found, willfulness may be considered and determined in an informal hearing before the commission.

Section 17. Section 18 of this act may be cited as the "Technology in Elections Act."

Section 18. Subsection (1) of section 106.143, Florida Statutes, is amended, present subsection (8) of that section is renumbered as subsection (9), and a new subsection (8) is added to that section, to read:

106.143 Political advertisements circulated prior to election; requirements.—

(1)(a) Any political advertisement that is paid for by a candidate and that is published, displayed, or circulated before ~~prior to~~, or on the day of, any election must prominently state:

1. "Political advertisement paid for and approved by ...(name of candidate)..., ...(party affiliation)..., for ...(office sought)..."; or

2. "Paid by ...(name of candidate)..., ...(party affiliation)..., for ...(office sought)..."

(b) Any other political advertisement published, displayed, or circulated before ~~prior to~~, or on the day of, any election must prominently:

1. Be marked "paid political advertisement" or with the abbreviation "pd. pol. adv."

2. State the name and address of the persons sponsoring the advertisement.

3.a.(I) State whether the advertisement and the cost of production is paid for or provided in kind by or at the expense of the entity publishing, displaying, broadcasting, or circulating the political advertisement; or

(II) State who provided or paid for the advertisement and cost of production, if different from the source of sponsorship.

b. This subparagraph does not apply if the source of the sponsorship is patently clear from the content or format of the political advertisement.

(c) Any political advertisement made pursuant to s. 106.021(3)(d) must be marked "paid political advertisement" or with the abbreviation "pd. pol. adv." and must prominently state, "Paid for and sponsored by ...(name of person paying for political advertisement)... Approved by ...(names of persons, party affiliation, and offices sought in the political advertisement)...."

This subsection does not apply to campaign messages used by a candidate and the candidate's supporters if those messages are designed to be worn by a person.

(8) This section does not apply to any campaign message or political advertisement used by a candidate and the candidate's supporters or by a political committee if the message or advertisement is:

(a) Designed to be worn by a person.

(b) Placed as a paid link on an Internet website, provided the message or advertisement is no more than 200 characters in length and the link directs the user to another Internet website that complies with subsection (1).

(c) Placed as a graphic or picture link where compliance with the requirements of this section is not reasonably practical due to the size of the graphic or picture link and the link directs the user to another Internet website that complies with subsection (1).

(d) Placed at no cost on an Internet website for which there is no cost to post content for public users.

(e) Placed or distributed on an unpaid profile or account which is available to the public without charge or on a social networking Internet website, as long as the source of the message or advertisement is patently clear from the content or format of the message or advertisement. A candidate or political committee may prominently display a statement indicating that the website or account is an official website or account of the candidate or political committee and is approved by the candidate or political committee. A website or account may not be marked as official without prior approval by the candidate or political committee.

(f) Distributed as a text message or other message via Short Message Service, provided the message is no more than 200 characters in length or requires the recipient to sign up or opt in to receive it.

(g) Connected with or included in any software application or accompanying function, provided that the user signs up, opts in, downloads, or otherwise accesses the application from or through a website that complies with subsection (1).

(h) Sent by a third-party user from or through a campaign or committee's website, provided the website complies with subsection (1).

(i) Contained in or distributed through any other technology-related item, service, or device for which compliance with subsection (1) is not reasonably practical due to the size or nature of such item, service, or device as available, or the means of displaying the message or advertisement makes compliance with subsection (1) impracticable.

~~(9)(8)~~ Any person who willfully violates any provision of this section is subject to the civil penalties prescribed in s. 106.265.

Section 19. Paragraph (b) of subsection (1) of section 106.011, Florida Statutes, is reenacted and amended, subsections (3) and (4) of that section are reenacted, subsection (14) of that section is amended, and subsections (18) and (19) of that section are reenacted and amended, to read:

106.011 Definitions.—As used in this chapter, the following terms have the following meanings unless the context clearly indicates otherwise:

(1)

(b) Notwithstanding paragraph (a), the following entities are not considered political committees for purposes of this chapter:

1. Organizations which are certified by the Department of State as committees of continuous existence pursuant to s. 106.04, national political parties, and the state and county executive committees of political parties regulated by chapter 103.

2. Corporations regulated by chapter 607 or chapter 617 or other business entities formed for purposes other than to support or oppose issues or candidates, if their political activities are limited to contributions to candidates, political parties, or political committees or expenditures in support of or opposition to an issue from corporate or business funds and if no contributions are received by such corporations or business entities.

3. Electioneering communications organizations as defined in subsection (19); ~~however, such organizations shall be required to register with and report expenditures and contributions, including contributions received from committees of continuous existence, to the Division of Elections in the same manner, at the same time, and subject to the same penalties as a political committee supporting or opposing an issue or a legislative candidate, except as otherwise specifically provided in this chapter.~~

(3) "Contribution" means:

(a) A gift, subscription, conveyance, deposit, loan, payment, or distribution of money or anything of value, including contributions in kind having an attributable monetary value in any form, made for the purpose of influencing the results of an election or making an electioneering communication.

(b) A transfer of funds between political committees, between committees of continuous existence, between electioneering communications organizations, or between any combination of these groups.

(c) The payment, by any person other than a candidate or political committee, of compensation for the personal services of another person which are rendered to a candidate or political committee without charge to the candidate or committee for such services.

(d) The transfer of funds by a campaign treasurer or deputy campaign treasurer between a primary depository and a separate interest-bearing account or certificate of deposit, and the term includes any interest earned on such account or certificate.

Notwithstanding the foregoing meanings of "contribution," the word shall not be construed to include services, including, but not limited to, legal and accounting services, provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate or political committee. This definition shall not be construed to include editorial endorsements.

(4)(a) "Expenditure" means a purchase, payment, distribution, loan, advance, transfer of funds by a campaign treasurer or deputy campaign treasurer between a primary depository and a separate interest-bearing account or certificate of deposit, or gift of money or anything of value made for the purpose of influencing the results of an election or making an electioneering communication. However, "expenditure" does not include a purchase, payment, distribution, loan, advance, or gift of money or anything of value made for the purpose of influencing the results of an election when made by an organization, in existence prior to the time during which a candidate qualifies or an issue is placed on the ballot for that election, for the purpose of printing or distributing such organization's newsletter, containing a statement by such organization in support of or opposition to a candidate or issue, which newsletter is distributed only to members of such organization.

(b) As used in this chapter, an "expenditure" for an electioneering communication is made when the earliest of the following occurs:

1. A person enters into a contract for applicable goods or services;

2. A person makes payment, in whole or in part, for the production or public dissemination of applicable goods or services; or

3. The electioneering communication is publicly disseminated.

(14) "Filing officer" means the person before whom a candidate qualifies, the agency or officer with whom a political committee or an electioneering

communications organization registers, or the agency by whom a committee of continuous existence is certified.

(18)(a) "Electioneering communication" means any communication that is publicly distributed by a television station, radio station, cable television system, satellite system, newspaper, magazine, direct mail, or telephone and a paid expression in any communications media prescribed in subsection (13) by means other than the spoken word in direct conversation that:

1. Refers to or depicts a clearly identified candidate for office ~~or contains a clear reference indicating that an issue is to be voted on at an election~~, without expressly advocating the election or defeat of a candidate but that is susceptible of no reasonable interpretation other than an appeal to vote for or against a specific candidate; or the passage or defeat of an issue.

2. Is made within 30 days before a primary or special primary election or 60 days before any other election for the office sought by the candidate; and

3. Is for communications referring to or depicting a clearly identified candidate for office, is targeted to the relevant electorate. A communication is considered targeted if 1,000 or more persons in the geographic area the candidate would represent if elected will receive the communication.

3. ~~For communications containing a clear reference indicating that an issue is to be voted on at an election, is published after the issue is designated a ballot position or 120 days before the date of the election on the issue, whichever occurs first.~~

(b) The term "electioneering communication" does not include:

1. A communication disseminated through a means of communication other than a television station, radio station, cable television system, satellite system, newspaper, magazine, direct mail, telephone, or statement or depiction by an organization, in existence prior to the time during which a candidate named or depicted qualifies or an issue identified is placed on the ballot for that election, made in that organization's newsletter, which newsletter is distributed only to members of that organization.

2. A communication in a news story, commentary, or editorial distributed through the facilities of any radio station, television station, cable television system, or satellite system, unless the facilities are owned or controlled by any political party, political committee, or candidate. A news story distributed through the facilities owned or controlled by any political party, political committee, or candidate may nevertheless be exempt if it represents a bona fide news account communicated through a licensed broadcasting facility and the communication is part of a general pattern of campaign-related news accounts that give reasonably equal coverage to all opposing candidates in the area. An editorial endorsement, news story, commentary, or editorial by any newspaper, radio, television station, or other recognized news medium.

3. A communication that constitutes a public debate or forum that includes at least two opposing candidates for an office or one advocate and one opponent of an issue, or that solely promotes such a debate or forum and is made by or on behalf of the person sponsoring the debate or forum, provided that:

a. The staging organization is either:

(I) A charitable organization that does not make other electioneering communications and does not otherwise support or oppose any political candidate or political party; or

(II) A newspaper, radio station, television station, or other recognized news medium; and

b. The staging organization does not structure the debate to promote or advance one candidate or issue position over another.

(c) For purposes of this chapter, an expenditure made for, or in furtherance of, an electioneering communication shall not be considered a contribution to or on behalf of any candidate.

(d) For purposes of this chapter, an electioneering communication shall not constitute an independent expenditure nor be subject to the limitations applicable to independent expenditures.

(19) "Electioneering communications organization" means any group, other than a political party, political committee, or committee of continuous existence, whose election-related activities are limited to making expenditures for electioneering communications or accepting contributions for the purpose of making electioneering communications and whose activities would not otherwise require the group to register as a political

party, political committee, or committee of continuous existence under this chapter.

Section 20. Subsection (1) of section 106.022, Florida Statutes, is reenacted to read:

106.022 Appointment of a registered agent; duties.—

(1) Each political committee, committee of continuous existence, or electioneering communications organization shall have and continuously maintain in this state a registered office and a registered agent and must file with the division a statement of appointment for the registered office and registered agent. The statement of appointment must:

(a) Provide the name of the registered agent and the street address and phone number for the registered office;

(b) Identify the entity for whom the registered agent serves;

(c) Designate the address the registered agent wishes to use to receive mail;

(d) Include the entity's undertaking to inform the division of any change in such designated address;

(e) Provide for the registered agent's acceptance of the appointment, which must confirm that the registered agent is familiar with and accepts the obligations of the position as set forth in this section; and

(f) Contain the signature of the registered agent and the entity engaging the registered agent.

Section 21. Paragraph (b) of subsection (1) of section 106.03, Florida Statutes, is reenacted and amended, and subsections (2), (4), and (7) of that section are amended, to read:

106.03 Registration of political committees and electioneering communications organizations.—

(1)

(b)1. Each electioneering communications organization that receives ~~anticipates receiving~~ contributions or makes ~~makes~~ expenditures during a calendar year in an aggregate amount exceeding \$5,000 shall file a statement of organization as provided in subparagraph 2, subsection (3) ~~by expedited delivery within 24 hours after its organization or, if later, within 24 hours after the date on which it receives has information that causes the organization to anticipate that it will receive contributions or makes make expenditures for an electioneering communication in excess of \$5,000.~~

2.a. In a statewide, legislative, or multicounty election, an electioneering communications organization shall file a statement of organization with the Division of Elections.

b. In a countywide election or any election held on less than a countywide basis, except as described in sub-subparagraph c., an electioneering communications organization shall file a statement of organization with the supervisor of elections of the county in which the election is being held.

c. In a municipal election, an electioneering communications organization shall file a statement of organization with the officer before whom municipal candidates qualify.

d. Any electioneering communications organization that would be required to file a statement of organization in two or more locations by reason of the organization's intention to support or oppose candidates at state or multicounty and local levels of government need only file a statement of organization with the Division of Elections.

(2) The statement of organization shall include:

(a) The name, mailing address, and street address of the committee or electioneering communications organization;

(b) The names, street addresses, and relationships of affiliated or connected organizations;

(c) The area, scope, or jurisdiction of the committee or electioneering communications organization;

(d) The name, mailing address, street address, and position of the custodian of books and accounts;

(e) The name, mailing address, street address, and position of other principal officers, including the treasurer and deputy treasurer ~~including officers and members of the finance committee~~, if any;

(f) The name, address, office sought, and party affiliation of:

1. Each candidate whom the committee is supporting;

2. Any other individual, if any, whom the committee is supporting for nomination for election, or election, to any public office whatever;

(g) Any issue or issues the committee ~~such organization~~ is supporting or opposing;

(h) If the committee is supporting the entire ticket of any party, a statement to that effect and the name of the party;

(i) A statement of whether the committee is a continuing one;

(j) Plans for the disposition of residual funds which will be made in the event of dissolution;

(k) A listing of all banks, safe-deposit boxes, or other depositories used for committee or electioneering communications organization funds; ~~and~~

(l) A statement of the reports required to be filed by the committee or the electioneering communications organization with federal officials, if any, and the names, addresses, and positions of such officials; ~~and~~

(m) A statement of whether the electioneering communications organization was formed as a newly created organization during the current calendar quarter or was formed from an organization existing prior to the current calendar quarter. For purposes of this subsection, calendar quarters end the last day of March, June, September, and December.

(4) Any change in information previously submitted in a statement of organization shall be reported to the agency or officer with whom such committee or electioneering communications organization is required to register ~~pursuant to subsection (3)~~, within 10 days following the change.

(7) The Division of Elections shall adopt ~~promulgate~~ rules to prescribe the manner in which inactive committees and electioneering communications organizations may be dissolved and have their registration canceled. Such rules shall, at a minimum, provide for:

(a) Notice which shall contain the facts and conduct which warrant the intended action, including but not limited to failure to file reports and limited activity.

(b) Adequate opportunity to respond.

(c) Appeal of the decision to the Florida Elections Commission. Such appeals shall be exempt from the confidentiality provisions of s. 106.25.

Section 22. Subsection (5) of section 106.04, Florida Statutes, is reenacted to read:

106.04 Committees of continuous existence.—

(5) No committee of continuous existence shall make an electioneering communication, contribute to any candidate or political committee an amount in excess of the limits contained in s. 106.08(1), or participate in any activity which is prohibited by this chapter. If any violation occurs, it shall be punishable as provided in this chapter for the given offense. No funds of a committee of continuous existence shall be expended on behalf of a candidate, except by means of a contribution made through the duly appointed campaign treasurer of a candidate. No such committee shall make expenditures in support of, or in opposition to, an issue unless such committee first registers as a political committee pursuant to this chapter and undertakes all the practices and procedures required thereof; provided such committee may make contributions in a total amount not to exceed 25 percent of its aggregate income, as reflected in the annual report filed for the previous year, to one or more political committees registered pursuant to s. 106.03 and formed to support or oppose issues.

Section 23. Section 106.0703, Florida Statutes, is reenacted and amended to read:

106.0703 Electioneering communications organizations; ~~additional~~ reporting requirements; certification and filing; ~~penalties.~~—

(1)(a) Each electioneering communications organization shall file regular reports of all contributions received and all expenditures made by or on behalf of the organization. Reports shall be filed on the 10th day following the end of each calendar quarter from the time the organization is registered. However, if the 10th day following the end of a calendar quarter occurs on a Saturday, Sunday, or legal holiday, the report shall be filed on the next following day that is not a Saturday, Sunday, or legal holiday. Quarterly reports shall include all contributions received and expenditures made during the calendar quarter that have not otherwise been reported pursuant to this section.

(b) Following the last day of candidates qualifying for office, the reports shall be filed on the 32nd, 18th, and 4th days immediately preceding the primary election and on the 46th, 32nd, 18th, and 4th days immediately preceding the general election.

(c) When a special election is called to fill a vacancy in office, all electioneering communications organizations making contributions or expenditures to influence the results of the special election shall file reports with the filing officer on the dates set by the Department of State pursuant to s. 100.111.

(d) In addition, an electioneering communications organization that is registered with the Department of State and that makes a contribution or expenditure to influence the results of a county or municipal election that is not being held at the same time as a state or federal election must file reports with the county or municipal filing officer on the same dates as county or municipal candidates or committees for that election. The electioneering communications organization must also include the expenditure in the next report filed with the Division of Elections pursuant to this section following the county or municipal election.

(e) The filing officer shall make available to each electioneering communications organization a schedule designating the beginning and end of reporting periods as well as the corresponding designated due dates.

(2)(a) Except as provided in s. 106.0705, the reports required of an electioneering communications organization shall be filed with the filing officer not later than 5 p.m. of the day designated. However, any report postmarked by the United States Postal Service no later than midnight of the day designated shall be deemed to have been filed in a timely manner. Any report received by the filing officer within 5 days after the designated due date that was delivered by the United States Postal Service shall be deemed timely filed unless it has a postmark that indicates that the report was mailed after the designated due date. A certificate of mailing obtained from and dated by the United States Postal Service at the time of mailing, or a receipt from an established courier company, which bears a date on or before the date on which the report is due, shall be proof of mailing in a timely manner. Reports shall contain information of all previously unreported contributions received and expenditures made as of the preceding Friday, except that the report filed on the Friday immediately preceding the election shall contain information of all previously unreported contributions received and expenditures made as of the day preceding the designated due date. All such reports shall be open to public inspection.

(b)1. Any report that is deemed to be incomplete by the officer with whom the electioneering communications organization files shall be accepted on a conditional basis. The treasurer of the electioneering communications organization shall be notified, by certified mail or other common carrier that can establish proof of delivery for the notice, as to why the report is incomplete. Within 7 days after receipt of such notice, the treasurer must file an addendum to the report providing all information necessary to complete the report in compliance with this section. Failure to file a complete report after such notice constitutes a violation of this chapter.

2. Notice is deemed sufficient upon proof of delivery of written notice to the mailing or street address of the treasurer or registered agent of the electioneering communication organization on record with the filing officer.

(3)(a) Each report required by this section must contain:

1. The full name, address, and occupation, if any, of each person who has made one or more contributions to or for such electioneering communications organization within the reporting period, together with the amount and date of such contributions. For corporations, the report must provide as clear a description as practicable of the principal type of business conducted by the corporation. However, if the contribution is \$100 or less, the occupation of the contributor or the principal type of business need not be listed.

2. The name and address of each political committee from which or to which the reporting electioneering communications organization made any transfer of funds, together with the amounts and dates of all transfers.

3. Each loan for electioneering communication purposes to or from any person or political committee within the reporting period, together with the full names, addresses, and occupations and principal places of business, if any, of the lender and endorser, if any, and the date and amount of such loans.

4. A statement of each contribution, rebate, refund, or other receipt not otherwise listed under subparagraphs 1.-3.

5. The total sums of all loans, in-kind contributions, and other receipts by or for such electioneering communications organization during the reporting

period. The reporting forms shall be designed to elicit separate totals for in-kind contributions, loans, and other receipts.

6. The full name and address of each person to whom expenditures have been made by or on behalf of the electioneering communications organization within the reporting period and the amount, date, and purpose of each expenditure.

7. The full name and address of each person to whom an expenditure for personal services, salary, or reimbursement for expenses has been made and that is not otherwise reported, including the amount, date, and purpose of the expenditure.

8. The total sum of expenditures made by the electioneering communications organization during the reporting period.

9. The amount and nature of debts and obligations owed by or to the electioneering communications organization that relate to the conduct of any electioneering communication.

10. The amount and nature of any separate interest-bearing accounts or certificates of deposit and identification of the financial institution in which such accounts or certificates of deposit are located.

11. The primary purposes of an expenditure made indirectly through an electioneering communications organization for goods and services, such as communications media placement or procurement services and other expenditures that include multiple components as part of the expenditure. The primary purpose of an expenditure shall be that purpose, including integral and directly related components, that comprises 80 percent of such expenditure.

(b) The filing officer shall make available to any electioneering communications organization a reporting form which the electioneering communications organization may use to indicate contributions received by the electioneering communications organization but returned to the contributor before deposit.

(4) The treasurer of the electioneering communications organization shall certify as to the correctness of each report, and each person so certifying shall bear the responsibility for the accuracy and veracity of each report. Any treasurer who willfully certifies the correctness of any report while knowing that such report is incorrect, false, or incomplete commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(5) The electioneering communications organization depository shall provide statements reflecting deposits and expenditures from the account to the treasurer, who shall retain the records pursuant to s. 106.06. The records maintained by the depository with respect to the account shall be subject to inspection by an agent of the Division of Elections or the Florida Elections Commission at any time during normal banking hours, and such depository shall furnish certified copies of any such records to the Division of Elections or the Florida Elections Commission upon request.

(6) Notwithstanding any other provisions of this chapter, in any reporting period during which an electioneering communications organization has not received funds, made any contributions, or expended any reportable funds, the treasurer shall file a written report with the filing officer by the prescribed reporting date that no reportable contributions or expenditures were made during the reporting period.

(7)(a) Any electioneering communications organization failing to file a report on the designated due date shall be subject to a fine as provided in paragraph (b) for each late day. The fine shall be assessed by the filing officer and the moneys collected shall be deposited:

1. In the General Revenue Fund, in the case of an electioneering communications organization that registers with the Division of Elections; or

2. In the general revenue fund of the political subdivision, in the case of an electioneering communications organization that registers with an officer of a political subdivision.

No separate fine shall be assessed for failure to file a copy of any report required by this section.

(b) Upon determining that a report is late, the filing officer shall immediately notify the electioneering communications organization as to the failure to file a report by the designated due date and that a fine is being assessed for each late day. The fine shall be \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25 percent of

the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each primary and general election, the fine shall be \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. Upon receipt of the report, the filing officer shall determine the amount of the fine which is due and shall notify the electioneering communications organization. The filing officer shall determine the amount of the fine due based upon the earliest of the following:

1. When the report is actually received by such officer.
2. When the report is postmarked.
3. When the certificate of mailing is dated.
4. When the receipt from an established courier company is dated.
5. When the electronic receipt issued pursuant to s. 106.0705 or other electronic filing system authorized in this section is dated.

Such fine shall be paid to the filing officer within 20 days after receipt of the notice of payment due, unless appeal is made to the Florida Elections Commission pursuant to paragraph (c). Notice is deemed sufficient upon proof of delivery of written notice to the mailing or street address on record with the filing officer. An officer or member of an electioneering communications organization shall not be personally liable for such fine.

(c) The treasurer of an electioneering communications organization may appeal or dispute the fine, based upon, but not limited to, unusual circumstances surrounding the failure to file on the designated due date, and may request and shall be entitled to a hearing before the Florida Elections Commission, which shall have the authority to waive the fine in whole or in part. The Florida Elections Commission must consider the mitigating and aggravating circumstances contained in s. 106.265(1) when determining the amount of a fine, if any, to be waived. Any such request shall be made within 20 days after receipt of the notice of payment due. In such case, the treasurer of the electioneering communications organization shall, within the 20-day period, notify the filing officer in writing of his or her intention to bring the matter before the commission.

(d) The appropriate filing officer shall notify the Florida Elections Commission of the repeated late filing by an electioneering communications organization, the failure of an electioneering communications organization to file a report after notice, or the failure to pay the fine imposed. The commission shall investigate only those alleged late filing violations specifically identified by the filing officer and as set forth in the notification. Any other alleged violations must be stated separately and reported by the division to the commission under s. 106.25(2).

(8) In addition to the reporting requirements in s. 106.07, An electioneering communications organization shall, within 2 days after receiving its initial password or secure sign-on from the Department of State allowing confidential access to the department's electronic campaign finance filing system, electronically file the periodic campaign finance reports that would have been required pursuant to this section s. 106.07 for reportable activities that occurred since the date of the last general election.

(9) Electioneering communications organizations shall not use credit cards.

Section 24. Paragraph (b) of subsection (2) of section 106.0705, Florida Statutes, is reenacted, and subsections (3) and (4) of that section are amended, to read:

106.0705 Electronic filing of campaign treasurer's reports.—

(2)

(b) Each political committee, committee of continuous existence, electioneering communications organization, or state executive committee that is required to file reports with the division under s. 106.04, s. 106.07, s. 106.0703, or s. 106.29, as applicable, must file such reports with the division by means of the division's electronic filing system.

(3) Reports filed pursuant to this section shall be completed and filed through the electronic filing system not later than midnight of the day designated. Reports not filed by midnight of the day designated are late filed and are subject to the penalties under s. 106.04(8), s. 106.07(8), s. 106.0703(7), or s. 106.29(3), as applicable.

(4) Each report filed pursuant to this section is considered to be under oath by the candidate and treasurer, or the chair and treasurer, or the treasurer under s. 106.0703, whichever is applicable, and such persons are subject to the

provisions of s. 106.04(4)(d), s. 106.07(5), s. 106.0703(4), or s. 106.29(2), as applicable. Persons given a secure sign-on to the electronic filing system are responsible for protecting such from disclosure and are responsible for all filings using such credentials, unless they have notified the division that their credentials have been compromised.

Section 25. Subsection (1) of section 106.071, Florida Statutes, is reenacted and amended to read:

106.071 Independent expenditures; electioneering communications; reports; disclaimers.—

(1) Each person who makes an independent expenditure with respect to any candidate or issue, and each individual who makes an expenditure for an electioneering communication which is not otherwise reported pursuant to this chapter, which expenditure, in the aggregate, is in the amount of ~~\$5,000~~ \$100 or more, shall file periodic reports of such expenditures in the same manner, at the same time, subject to the same penalties, and with the same officer as a political committee supporting or opposing such candidate or issue. The report shall contain the full name and address of the person making the expenditure; the full name and address of each person to whom and for whom each such expenditure has been made; the amount, date, and purpose of each such expenditure; a description of the services or goods obtained by each such expenditure; the issue to which the expenditure relates; and the name and address of, and office sought by, each candidate on whose behalf such expenditure was made.

Section 26. Subsections (4) and (5) of section 106.08, Florida Statutes, are amended, and subsection (7) of that section is reenacted, to read:

106.08 Contributions; limitations on.—

(4)~~(a)~~ Any contribution received by the chair, campaign treasurer, or deputy campaign treasurer of a political committee supporting or opposing a candidate with opposition in an election or supporting or opposing an issue on the ballot in an election on the day of that election or less than 5 days prior to the day of that election may not be obligated or expended by the committee until after the date of the election.

~~(b) Any contribution received by an electioneering communications organization on the day of an election or less than 5 days prior to the day of that election may not be obligated or expended by the organization until after the date of the election and may not be expended to pay for any obligation arising prior to the election.~~

(5)(a) A person may not make any contribution through or in the name of another, directly or indirectly, in any election.

(b) Candidates, political committees, and political parties may not solicit contributions from any religious, charitable, civic, or other causes or organizations established primarily for the public good.

(c) Candidates, political committees, and political parties may not make contributions, in exchange for political support, to any religious, charitable, civic, or other cause or organization established primarily for the public good. It is not a violation of this paragraph for:

1. A candidate, political committee, or political party executive committee to make gifts of money in lieu of flowers in memory of a deceased person;

2. A candidate to continue membership in, or make regular donations from personal or business funds to, religious, political party, civic, or charitable groups of which the candidate is a member or to which the candidate has been a regular donor for more than 6 months; or

3. A candidate to purchase, with campaign funds, tickets, admission to events, or advertisements from religious, civic, political party, or charitable groups.

~~(d) An electioneering communications organization may not accept a contribution from an organization exempt from taxation under s. 527 or s. 501(c)(4) of the Internal Revenue Code, other than a political committee, committee of continuous existence, or political party, unless the contributing organization has registered as if the organization were an electioneering communications organization pursuant to s. 106.03 and has filed all campaign finance reports required of electioneering communications organizations pursuant to ss. 106.07 and 106.0703.~~

(7)(a) Any person who knowingly and willfully makes or accepts no more than one contribution in violation of subsection (1) or subsection (5), or any person who knowingly and willfully fails or refuses to return any contribution as required in subsection (3), commits a misdemeanor of the first degree,

punishable as provided in s. 775.082 or s. 775.083. If any corporation, partnership, or other business entity or any political party, political committee, committee of continuous existence, or electioneering communications organization is convicted of knowingly and willfully violating any provision punishable under this paragraph, it shall be fined not less than \$1,000 and not more than \$10,000. If it is a domestic entity, it may be ordered dissolved by a court of competent jurisdiction; if it is a foreign or nonresident business entity, its right to do business in this state may be forfeited. Any officer, partner, agent, attorney, or other representative of a corporation, partnership, or other business entity, or of a political party, political committee, committee of continuous existence, electioneering communications organization, or organization exempt from taxation under s. 527 or s. 501(c)(4) of the Internal Revenue Code, who aids, abets, advises, or participates in a violation of any provision punishable under this paragraph commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) Any person who knowingly and willfully makes or accepts two or more contributions in violation of subsection (1) or subsection (5) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. If any corporation, partnership, or other business entity or any political party, political committee, committee of continuous existence, or electioneering communications organization is convicted of knowingly and willfully violating any provision punishable under this paragraph, it shall be fined not less than \$10,000 and not more than \$50,000. If it is a domestic entity, it may be ordered dissolved by a court of competent jurisdiction; if it is a foreign or nonresident business entity, its right to do business in this state may be forfeited. Any officer, partner, agent, attorney, or other representative of a corporation, partnership, or other business entity, or of a political committee, committee of continuous existence, political party, or electioneering communications organization, or organization exempt from taxation under s. 527 or s. 501(c)(4) of the Internal Revenue Code, who aids, abets, advises, or participates in a violation of any provision punishable under this paragraph commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 27. Section 106.1437, Florida Statutes, is reenacted to read:

106.1437 Miscellaneous advertisements.—Any advertisement, other than a political advertisement, independent expenditure, or electioneering communication, on billboards, bumper stickers, radio, or television, or in a newspaper, a magazine, or a periodical, intended to influence public policy or the vote of a public official, shall clearly designate the sponsor of such advertisement by including a clearly readable statement of sponsorship. If the advertisement is broadcast on television, the advertisement shall also contain a verbal statement of sponsorship. This section shall not apply to an editorial endorsement.

Section 28. Section 106.1439, Florida Statutes, is reenacted and amended to read:

106.1439 Electioneering communications; disclaimers.—

(1) Any electioneering communication, other than a telephone call, shall prominently state: "Paid electioneering communication paid for by ...(Name and address of person paying for the communication)...."

(2) Any electioneering communication telephone call shall identify the persons or organizations sponsoring the call by stating either: "Paid for by ...(insert name of persons or organizations sponsoring the call)...." or "Paid for on behalf of ...(insert name of persons or organizations authorizing call)...." This subsection does not apply to any telephone call in which the individual making the call is not being paid and the individuals participating in the call know each other prior to the call.

(3) Any person who fails to include the disclaimer prescribed in this section in any electioneering communication that is required to contain such disclaimer commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 29. Paragraphs (a) and (e) of subsection (1) of section 106.147, Florida Statutes, are amended to read:

106.147 Telephone solicitation; disclosure requirements; prohibitions; exemptions; penalties.—

(1)(a) Any electioneering communication telephone call or any telephone call supporting or opposing a candidate, elected public official, or ballot

proposal must identify the persons or organizations sponsoring the call by stating either: "paid for by" (insert name of persons or organizations sponsoring the call) or "paid for on behalf of" (insert name of persons or organizations authorizing call). This paragraph does not apply to any telephone call in which both the individual making the call is not being paid and the individuals participating in the call know each other prior to the call.

~~(e) Any electioneering communication paid for with public funds must include a disclaimer containing the words "paid for by ...(Name of the government entity paying for the communication)...."~~

Section 30. Section 106.17, Florida Statutes, is reenacted to read:

106.17 Polls and surveys relating to candidacies.—Any candidate, political committee, committee of continuous existence, electioneering communication organization, or state or county executive committee of a political party may authorize or conduct a political poll, survey, index, or measurement of any kind relating to candidacy for public office so long as the candidate, political committee, committee of continuous existence, electioneering communication organization, or political party maintains complete jurisdiction over the poll in all its aspects.

Section 31. Subsection (11) of section 379.352, Florida Statutes, is amended to read:

379.352 Recreational licenses, permits, and authorization numbers to take wild animal life, freshwater aquatic life, and marine life; issuance; costs; reporting.—

(11) When acting in its official capacity pursuant to this section, neither the commission nor a subagent is deemed a third-party registration organization, as defined in s. 97.021 ~~s. 97.021(36)~~, or a voter registration agency, as defined in s. 97.021 ~~s. 97.021(40)~~, and is not authorized to solicit, accept, or collect voter registration applications or provide voter registration services.

Section 32. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

===== TITLE AMENDMENT =====

And the title is amended as follows:

Delete everything before the enacting clause and insert:

A bill to be entitled

An act relating to elections; creating s. 97.0115, F.S.; providing that all matters in chapters 97 through 105, F.S., are preempted to the state, unless otherwise specified; amending s. 97.021, F.S.; defining the term "absent uniformed services voter"; revising the definition of the term "overseas voter"; amending s. 98.0981, F.S., relating to statewide voter information; conforming a cross-reference; ; amending s. 101.111, F.S.; revising voter challenge oath requirements; providing circumstances under which a challenged voter may execute a change of legal residence, be directed to the proper precinct, or vote a provisional ballot; amending s. 101.56075, F.S.; extending the deadline by which persons with disabilities will be required to vote on voter interface devices meeting specified requirements; amending s. 101.5612, F.S.; requiring the supervisor of elections to publish on his or her website a notice of testing of tabulating equipment; requiring the use of certain ballots and technology for preelection testing of tabulating equipment; amending s. 101.62, F.S.; requiring the supervisor of elections to notify the absent uniformed services voter and overseas voter of the free access system for determining absentee ballot status; providing a timeframe for an absentee ballot to be sent to each absent uniformed services voter and overseas voter; providing acceptable formats for requesting an absentee ballot; modifying circumstances under which the department is authorized to prescribe rules for a ballot to be sent to absent uniformed services voters and overseas voters; amending s. 101.694, F.S.; requiring a supervisor to send absentee ballots by specified means to certain persons upon receipt of a federal postcard application; deleting provisions relating to the period for which an absentee ballot request is valid; amending s. 101.6952, F.S.; revising responsibilities of the supervisor of elections when an absent uniformed services voter's or overseas voter's request for an absentee ballot includes an e-mail address; requiring the supervisor to record the e-mail address in the absentee ballot record and, via e-mail, confirm that the request was received, inform the voter of the estimated date the absentee ballot will be sent, and notify the voter when the voted absentee ballot is received; amending s. 101.71, F.S.;

requiring the supervisor of elections to ensure the provision of adequate supplies, equipment, and personnel when precincts are collocated; requiring the supervisor of elections to publish the relocation of a polling place on his or her website; amending s. 102.012, F.S.; allowing the supervisor of elections to appoint one election board for collocated precincts and requiring the appointment of adequate personnel for the collocated precincts; amending s. 102.111, F.S.; clarifying that the Governor and Cabinet members shall serve ex officio on the Elections Canvassing Commission; establishing meeting times for the commission; amending s. 102.112, F.S.; conforming a cross-reference; amending s. 102.141, F.S.; requiring the supervisor of elections to publish on his or her website notice of the time for canvassing absentee and provisional ballots; providing circumstances under which the Secretary of State, county canvassing board, or local board is responsible for ordering recounts in elections; specifying the time for filing returns for elections in which a recount was ordered; amending s. 102.166, F.S.; providing circumstances under which the Secretary of State, county canvassing board, or local board is responsible for ordering a manual recount of overvotes and undervotes; amending s. 106.25, F.S.; authorizing the Florida Elections Commission to determine whether a person's conduct was willful in an informal hearing following a finding of probable cause; providing a short title; amending s. 106.143, F.S.; providing an alternative statement that may be used to identify a candidate as the sponsor of a political advertisement under certain circumstances; providing circumstances under which certain campaign messages and political advertisements are not required to state or display specific information regarding the identity of the candidate, his or her party affiliation, and the office sought in the message or advertisement; authorizing a candidate or political committee to place a statement on a social networking website or account indicating that the site or account is an official site or account approved by the candidate or political committee; prohibiting an official designation without the prior approval by the candidate or political committee; amending s. 106.011, F.S.; revising the definition of the term "political committee" to remove certain reporting requirements included in the exclusion of electioneering communications organizations from the definition; revising the definition of the term "filing officer" to expand applicability to electioneering communications organizations; revising the definition of the term "electioneering communication" to conform to certain federal requirements and to delineate what constitutes such a communication; revising the definition of the term "electioneering communications organization"; amending s. 106.03, F.S.; revising the registration requirements for electioneering communications organizations; revising the statement of organization requirements; revising rule adoption requirements relating to dissolution of political committees and electioneering communications organizations; amending s. 106.0703, F.S.; consolidating reporting requirements in ch. 106, F.S., applicable to electioneering communications organizations; providing penalties; conforming provisions; prohibiting the use of credit cards by electioneering communications organizations; amending s. 106.0705, F.S., relating to electronic filing of campaign treasurer's reports; conforming provisions; amending s. 106.071, F.S.; increasing the aggregate amount of expenditures required for filing certain reports related to independent expenditures or electioneering communications; amending s. 106.08, F.S.; removing certain limitations on contributions received by an electioneering communications organization; amending s. 106.1439, F.S.; providing identification requirements for certain electioneering communications; providing an exception for telephone calls; amending s. 106.147, F.S., relating to telephone solicitation disclosure requirements; removing requirements relating to electioneering communication, to conform; reenacting ss. 106.011(1)(b), (3), (4), (18), and (19), 106.022(1), 106.03(1)(b), 106.04(5), 106.0703, 106.0705(2)(b), 106.071(1), 106.08(7), 106.1437, 106.1439, and 106.17, F.S., relating to definitions, registered office and agent requirements, registration requirements, prohibited activities for committees of continuous existence, additional reporting requirements, electronic filing requirements, expenditure reports, penalties for violations pertaining to limitations on contributions, miscellaneous advertisements, electioneering communications disclaimers and penalties for failure to include disclaimers, and polls and surveys pertaining to candidacies, to cure and conform; amending s. 379.352, F.S.,

relating to recreational licenses and permits; conforming cross-references; providing effective dates.

Rep. Adams moved that the House concur in **Senate Amendment 3**.

Representative Fitzgerald offered the following:

(Amendment Bar Code: 492277)

House Amendment 1 to Senate Amendment 3 (with title amendment)—Remove line 10 and insert:
elections shall be governed by s. 100.3605. The preemption under this section does not apply to charter counties.

TITLE AMENDMENT

Remove line 1466 and insert:
otherwise specified; providing that the preemption does not apply to charter counties; amending s. 97.021, F.S.;

Rep. Fitzgerald moved the adoption of the amendment to the amendment, which failed of adoption.

Representative Bullard offered the following:

(Amendment Bar Code: 869211)

House Amendment 2 to Senate Amendment 3 (with title amendment)—Remove lines 127-134

TITLE AMENDMENT

Remove lines 1475-1478 and insert:
a provisional ballot;

Rep. Bullard moved the adoption of the amendment to the amendment, which failed of adoption.

The question recurred on the motion to concur in **Senate Amendment 3**. The motion was agreed to.

The question recurred on the passage of **CS/CS/HB 131**. The vote was:

Session Vote Sequence: 1083

Speaker Cretul in the Chair.

Yeas—110

Abruzzo	Coley	Hasner	McKeel
Adams	Cretul	Hays	Murzin
Adkins	Crisafulli	Heller	Nehr
Ambler	Cruz	Holder	Nelson
Anderson	Culp	Homan	O'Toole
Aubuchon	Domino	Hooper	Patronis
Bembry	Dorworth	Horner	Patterson
Bernard	Drake	Hudson	Plakon
Bogdanoff	Eisnaugle	Hukill	Poppell
Bovo	Evers	Jenne	Porth
Boyd	Flores	Jones	Precourt
Brandenburg	Ford	Kelly	Proctor
Braynon	Frishe	Kiar	Rader
Brisé	Gaetz	Kreegel	Randolph
Bullard	Galvano	Kriseman	Ray
Burgin	Garcia	Legg	Reagan
Bush	Gibbons	Llorente	Reed
Cannon	Gibson	Long	Rehwinkel Vasilinda
Carroll	Gonzalez	Lopez-Cantera	Renuart
Chestnut	Grady	Mayfield	Robaina
Clarke-Reed	Grimsley	McBurney	Roberson, K.

Roberson, Y.	Skidmore	Thompson, N.	Williams, A.
Rouson	Snyder	Tobia	Williams, T.
Sachs	Soto	Troutman	Wood
Sands	Stargel	Van Zant	Workman
Saunders	Steinberg	Waldman	Zapata
Schenck	Taylor	Weatherford	
Schultz	Thompson, G.	Weinstein	

Nays—6

Fetterman	Pafford	Schwartz
Fitzgerald	Rogers	Thurston

Votes after roll call:

Yeas—Fresen, Planas

Yeas to Nays—Rehwinkel Vasilinda

So the bill passed, as amended. The action was immediately certified to the Senate and the bill was ordered enrolled after engrossment.

HB 5 was taken up, having been temporarily postponed earlier today; now pending on motion by Rep. Grimsley to concur in **Senate Amendment 1 (187514)**.

Rep. Grimsley moved that the House concur in **Senate Amendment 1**.

Representative Bush offered the following:

(Amendment Bar Code: 801739)

House Amendment 1 to Senate Amendment 1 (with title amendment)—Remove lines 221-227 and insert:

Section 24. Miss Lillie Williams Street designated; Department of Transportation to erect suitable markers.—

(1) That portion of N.W. 79th Street between N.W. 6th Avenue and N.W. 7th Avenue in Miami-Dade County is designated as "Miss Lillie Williams Street."

(2) The Department of Transportation is directed to erect suitable markers designating Miss Lillie Williams Street as

TITLE AMENDMENT

Remove line 473 and insert:

Williams Street in Miami-Dade County; designating

Rep. Bush moved the adoption of the amendment to the amendment. Subsequently, **House Amendment 1 to Senate Amendment 1** was withdrawn.

The question recurred on the motion to concur in **Senate Amendment 1**. The motion was agreed to.

The question recurred on the passage of HB 5. The vote was:

Session Vote Sequence: 1084

Speaker Cretul in the Chair.

Yeas—116

Abruzzo	Brisé	Domino	Garcia
Adams	Bullard	Dorworth	Gibbons
Adkins	Burgin	Drake	Gibson
Ambler	Bush	Eisnagle	Gonzalez
Anderson	Cannon	Evers	Grady
Aubuchon	Carroll	Fetterman	Grimsley
Bembry	Chestnut	Fitzgerald	Hasner
Bernard	Clarke-Reed	Flores	Hays
Bogdanoff	Coley	Ford	Heller
Bovo	Cretul	Fresen	Holder
Boyd	Crisafulli	Frishe	Homan
Brandenburg	Cruz	Gaetz	Hooper
Braynon	Culp	Galvano	Horner

Hudson	Nelson	Rehwinkel Vasilinda	Stargel
Hukill	O'Toole	Renuart	Steinberg
Jenne	Pafford	Robaina	Taylor
Jones	Patronis	Roberson, K.	Thompson, G.
Kelly	Patterson	Roberson, Y.	Thompson, N.
Kiar	Plakon	Rogers	Thurston
Kriseman	Planas	Rouson	Tobia
Legg	Poppell	Sachs	Troutman
Llorente	Porth	Sands	Van Zant
Long	Precourt	Saunders	Waldman
Lopez-Cantera	Proctor	Schenck	Weatherford
Mayfield	Rader	Schultz	Weinstein
McBurney	Randolph	Schwartz	Williams, A.
McKeel	Ray	Skidmore	Wood
Murzin	Reagan	Snyder	Workman
Nehr	Reed	Soto	Zapata

Nays—None

Votes after roll call:

Yeas—Kreegel

So the bill passed, as amended. The action was immediately certified to the Senate and the bill was ordered enrolled after engrossment.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for CS for HB 665, with 1 amendment, and requests the concurrence of the House.

R. Philip Twogood, Secretary

CS/CS/CS/HB 665—A bill to be entitled An act relating to affordable housing; amending s. 20.055, F.S.; revising the definition of "state agency" to include the Florida Housing Finance Corporation; revising the definition of "agency head" to include the board of directors of the corporation; requiring the inspector general to prepare an annual report; amending s. 159.608, F.S.; providing a housing finance authority with an additional purpose for which it may exercise its power to borrow; amending s. 163.3177, F.S.; revising provisions relating to the elements of local comprehensive plans to authorize the inclusion of an element for affordable housing for certain seniors; providing for the disposition of real property by a local government for the development of affordable housing; amending s. 201.15, F.S.; revising the allocation of certain proceeds distributed from the excise tax on documents that are paid into the State Treasury to the credit of the State Housing Trust Fund; providing for retroactive repeal of s. 8, ch. 2009-131, Laws of Florida, to eliminate a conflicting version of s. 201.15, F.S.; amending s. 420.0003, F.S.; including the needs of persons with special needs in the state housing strategy's periodic review and report; amending s. 420.0004, F.S.; defining the terms "disabling condition" and ☐☐☐ person with special needs"; conforming cross-references; amending s. 420.0006, F.S.; removing an obsolete reference; deleting provisions requiring the inspector general of the Department of Community Affairs to perform functions for the corporation to conform to changes made by the act; amending s. 420.504, F.S.; authorizing the Secretary of Community Affairs to designate a senior-level agency employee to serve on the board of directors of the Florida Housing Finance Corporation; amending s. 420.506, F.S.; providing for the appointment of an inspector general of the Florida Housing Finance Corporation; providing appointing authority thereof; providing duties and responsibilities of the inspector general; amending s. 420.507, F.S.; requiring certain rates of interest to be made available to sponsors of projects for persons with special needs; providing additional powers of the corporation relating to receipt of federal funds; revising powers of the corporation relating to criteria establishing a preference for eligible developers and general contractors; conforming a cross-reference; amending s. 420.5087, F.S.; limiting the reservation of funds within each notice of fund availability to the persons with special needs tenant group; including persons with special needs as a tenant group for specified purposes of the State Apartment Incentive Loan Program; revising and providing criteria to be used by a specified review committee for the competitive ranking of applications for such program;

conforming a cross-reference; amending ss. 163.31771, 212.08, 215.5586, and 420.503, F.S.; conforming cross-references; providing legislative intent; prohibiting funds from the State Housing Trust Fund or the Local Government Housing Trust Fund that are appropriated for specified programs from being used for certain purposes; providing for future repeal; providing an effective date.

(Amendment Bar Code: 593404)

Senate Amendment 1 (with title amendment)—Between lines 893 and 894

insert:

Section 18. The Legislature hereby reauthorizes:

(1) Any exemption granted for any project for which an application for development approval has been approved or filed pursuant to s. 380.06, Florida Statutes, or for which a complete development application or rescission request has been approved or is pending, and the application or rescission process is continuing in good faith, within a development that is located within an area that qualified for an exemption under s. 380.06, Florida Statutes, as amended by chapter 2009-96, Laws of Florida.

(2) Any 2-year extension authorized and timely applied for pursuant to section 14 of chapter 2009-96, Laws of Florida.

(3) Any amendment to a local comprehensive plan adopted pursuant to s. 163.3184, Florida Statutes, as amended by chapter 2009-96, Laws of Florida, and in effect pursuant to s. 163.3189, Florida Statutes, which authorizes and implements a transportation concurrency exception area pursuant to s. 163.3180, Florida Statutes, as amended by chapter 2009-96, Laws of Florida.

Section 19. Section 18 is intended to be remedial in nature and to reenact provisions of existing law. This act shall apply retroactively to all actions specified in section 18 and therefore to any such actions lawfully undertaken in accordance with chapter 2009-96, Laws of Florida.

Section 20 (1) Except as provided in subsection (4), a development order issued by a local government, a building permit, and any permit issued by the Department of Environmental Protection or by a water management district pursuant to part IV of chapter 373, Florida Statutes, which has an expiration date from September 1, 2008, through January 1, 2012, is extended and renewed for a period of 2 years after its previously scheduled date of expiration. This 2-year extension also applies to buildout dates, including any extension of a buildout date that was previously granted under s. 380.06(19)(c), Florida Statutes. This section does not prohibit conversion from the construction phase to the operation phase upon completion of construction. This extension is in addition to the 2-year permit extension provided under section 14 of chapter 2009-96, Laws of Florida.

(2) The commencement and completion dates for any required mitigation associated with a phased construction project are extended so that mitigation takes place in the same timeframe relative to the phase as originally permitted.

(3) The holder of a valid permit or other authorization that is eligible for the 2-year extension must notify the authorizing agency in writing by December 31, 2010, identifying the specific authorization for which the holder intends to use the extension and the anticipated timeframe for acting on the authorization.

(4) The extension provided for in subsection (1) does not apply to:

(a) A permit or other authorization under any programmatic or regional general permit issued by the Army Corps of Engineers.

(b) A permit or other authorization held by an owner or operator determined to be in significant noncompliance with the conditions of the permit or authorization as established through the issuance of a warning letter or notice of violation, the initiation of formal enforcement, or other equivalent action by the authorizing agency.

(c) A permit or other authorization, if granted an extension that would delay or prevent compliance with a court order.

(5) Permits extended under this section shall continue to be governed by the rules in effect at the time the permit was issued, except if it is demonstrated that the rules in effect at the time the permit was issued would create an immediate threat to public safety or health. This provision applies to any modification of the plans, terms, and conditions of the permit which lessens

the environmental impact, except that any such modification does not extend the time limit beyond 2 additional years.

(6) This section does not impair the authority of a county or municipality to require the owner of a property that has notified the county or municipality of the owner's intent to receive the extension of time granted pursuant to this section to maintain and secure the property in a safe and sanitary condition in compliance with applicable laws and ordinances.

Section 21. Subsection (29) of section 163.3164, Florida Statutes, is amended to read:

163.3164 Local Government Comprehensive Planning and Land Development Regulation Act; definitions.—As used in this act:

(29) "Urban service area" means built-up areas where public facilities and services, including, but not limited to, central water and sewer capacity and roads, are already in place or are committed in the first 3 years of the capital improvement schedule. In addition, for counties that qualify as dense urban land areas under subsection (34), the nonrural area of a county which has adopted into the county charter a rural area designation or any areas identified in the comprehensive plan as urban service areas, regardless of any local government limitation, or urban growth boundaries on or before July 1, 2009, are also urban service areas under this definition.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 2 - 59

and insert:

An act relating to community development; amending s. 20.055, F.S.; revising the definition of "state agency" to include the Florida Housing Finance Corporation; revising the definition of "agency head" to include the board of directors of the corporation; requiring the inspector general to prepare an annual report; amending s. 159.608, F.S.; providing a housing finance authority with an additional purpose for which it may exercise its power to borrow; amending s. 163.3177, F.S.; revising provisions relating to the elements of local comprehensive plans to authorize the inclusion of an element for affordable housing for certain seniors; providing for the disposition of real property by a local government for the development of affordable housing; amending s. 201.15, F.S.; revising the allocation of certain proceeds distributed from the excise tax on documents that are paid into the State Treasury to the credit of the State Housing Trust Fund; providing for retroactive repeal of s. 8, ch. 2009-131, Laws of Florida, to eliminate a conflicting version of s. 201.15, F.S.; amending s. 420.0003, F.S.; including the needs of persons with special needs in the state housing strategy's periodic review and report; amending s. 420.0004, F.S.; defining the terms "disabling condition" and "person with special needs"; conforming cross-references; amending s. 420.0006, F.S.; removing an obsolete reference; deleting provisions requiring the inspector general of the Department of Community Affairs to perform functions for the corporation to conform to changes made by the act; amending s. 420.504, F.S.; authorizing the Secretary of Community Affairs to designate a senior-level agency employee to serve on the board of directors of the Florida Housing Finance Corporation; amending s. 420.506, F.S.; providing for the appointment of an inspector general of the Florida Housing Finance Corporation; providing appointing authority thereof; providing duties and responsibilities of the inspector general; amending s. 420.507, F.S.; requiring certain rates of interest to be made available to sponsors of projects for persons with special needs; providing additional powers of the corporation relating to receipt of federal funds; revising powers of the corporation relating to criteria establishing a preference for eligible developers and general contractors; conforming a cross-reference; amending s. 420.5087, F.S.; limiting the reservation of funds within each notice of fund

availability to the persons with special needs tenant group; including persons with special needs as a tenant group for specified purposes of the State Apartment Incentive Loan Program; revising and providing criteria to be used by a specified review committee for the competitive ranking of applications for such program; conforming a cross-reference; amending ss. 163.31771, 212.08, 215.5586, and 420.503, F.S.; conforming cross-references; providing legislative intent; prohibiting funds from the State Housing Trust Fund or the Local Government Housing Trust Fund that are appropriated for specified programs from being used for certain purposes; providing for future repeal; reauthorizing certain exemptions, 2-year extensions, and local comprehensive plan amendments granted, authorized, or adopted under general law and in effect as of a certain date; providing construction; providing for retroactive application; extending the expiration dates of certain permits issued by the Department of Environmental Protection, a water management district, or a local government; extending certain previously granted build-out dates; amending s. 163.3164, F.S.; providing that certain urban service areas are defined as urban service areas despite any local government limitation; providing an effective date.

Representative Robaina offered the following:

(Amendment Bar Code: 980211)

House Amendment 1 to Senate Amendment 1 (with title amendment)—Between lines 81 and 82, insert:

Section 21. Effective June 30, 2010, section 20.18, Florida Statutes, is reenacted.

TITLE AMENDMENT

Remove lines 173-176 and insert:

build-out dates; reenacting s. 20.18, F.S., relating to the establishment of the Department of Community Affairs; amending s. 163.3164, F.S.; providing that certain urban service areas are defined as urban service areas despite any local government limitation; providing effective dates.

Rep. Robaina moved the adoption of the amendment to the amendment. Subsequently, **House Amendment 1 to Senate Amendment 1** was withdrawn.

On motion by Rep. Aubuchon, the House refused to concur in **Senate Amendment 1** and requested the Senate to recede therefrom. The action, together with the bill and amendment thereto, was immediately certified to the Senate.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 911, with 1 amendment, and requests the concurrence of the House.

R. Philip Twogood, Secretary

CS/CS/HB 911—A bill to be entitled An act relating to electronic health information; amending s. 408.05, F.S.; removing a statement of legislative intent; removing certain restrictions on the use of certain funds and fees received by the Florida Center for Health Information and Policy Analysis; requiring the State Consumer Health Information and Policy Advisory Council to develop the Agency for Health Care Administration's strategic plan relating to electronic health records; amending s. 408.051, F.S.; defining the term "agency"; creating s. 408.0514, F.S.; requiring the agency to coordinate with regional extension centers to implement the use of electronic

health records; amending s. 408.061, F.S.; deleting a reference to an administrative rule relating to certain data reported by health care facilities; amending s. 408.0611, F.S.; revising provisions relating to a clearinghouse on information on electronic prescribing; requiring the State Consumer Health Information and Policy Advisory Council or a workgroup representing electronic prescribing and other health information technology stakeholders to participate in quarterly meetings on the implementation of electronic prescribing; requiring the agency to provide a report on the agency's Internet website; amending s. 408.062, F.S.; requiring the agency to post certain information on health care expenditures on the agency's Internet website; amending s. 408.063, F.S.; deleting the requirement that the agency annually publish a report on state health expenditures; providing an effective date.

(Amendment Bar Code: 803594)

Senate Amendment 1 (with title amendment)—Delete lines 44 - 261 and insert:

Section 1. Subsection (7) and paragraph (h) of subsection (8) of section 408.05, Florida Statutes, are amended to read:

408.05 Florida Center for Health Information and Policy Analysis.—

(7) BUDGET; FEES.—

~~(a) The Legislature intends that funding for the Florida Center for Health Information and Policy Analysis be appropriated from the General Revenue Fund.~~

~~(a)(b) The Florida Center for Health Information and Policy Analysis may apply for and receive and accept grants, gifts, and other payments, including property and services, from any governmental or other public or private entity or person and make arrangements as to the use of same, including the undertaking of special studies and other projects relating to health-care-related topics. Funds obtained pursuant to this paragraph may not be used to offset annual appropriations from the General Revenue Fund.~~

~~(b)(c) The center may charge such reasonable fees for services as the agency prescribes by rule. The established fees may not exceed the reasonable cost for such services. Fees collected may not be used to offset annual appropriations from the General Revenue Fund.~~

(8) STATE CONSUMER HEALTH INFORMATION AND POLICY ADVISORY COUNCIL.—

(h) The council's duties and responsibilities include, but are not limited to, the following:

1. ~~Developing To develop~~ a mission statement, goals, and a plan of action for the identification, collection, standardization, sharing, and coordination of health-related data across federal, state, and local government and private sector entities.

2. ~~Developing To develop~~ a review process ~~that ensures to ensure~~ cooperative planning among agencies that collect or maintain health-related data.

3. ~~Establishing To create~~ ad hoc, issue-oriented technical workgroups ~~as needed on an as needed basis~~ to make recommendations to the council.

Section 2. Subsection (2) of section 408.051, Florida Statutes, is reordered and amended to read:

408.051 Florida Electronic Health Records Exchange Act.—

(2) DEFINITIONS.—As used in this section ~~and ss. 408.0512-408.0514~~, the term:

(a) "Agency" means the Agency for Health Care Administration.

~~(c)(a)~~ "Electronic health record" means a record of ~~an individual's a~~ ~~person's~~ medical treatment which is created by a licensed health care provider and stored in an interoperable and accessible digital format.

~~(j)(b)~~ "Qualified electronic health record" means an electronic record of health-related information concerning an individual which includes patient demographic and clinical health information, such as medical history and problem lists, and which has the capacity to provide clinical decision support, to support physician order entry, to capture and query information relevant to health care quality, and to exchange electronic health information with, and integrate such information from, other sources.

~~(b)(c)~~ "Certified electronic health record technology" means a qualified electronic health record that is certified pursuant to s. 3001(c)(5) of the Public

Health Service Act as meeting standards adopted under s. 3004 of ~~that such~~ act which are applicable to the type of record involved, such as an ambulatory electronic health record for office-based physicians or an inpatient hospital electronic health record for hospitals.

(d) "Health care provider" means any person or organization that furnishes, bills, or is paid for health care services in the normal course of business.

(e) "Health information exchange participation agreement" means a comprehensive, multiparty trust agreement that can be used by health care providers and other organizations, both public and private, that wish to participate in a health information exchange network. The agreement provides the legal framework that governs participation in the network by requiring the signatories to abide by a common set of terms and conditions to support the secure, interoperable exchange of health care data among authorized participants.

(f) ~~(d)~~ "Health record" means any information, recorded in any form or medium, which relates to the past, present, or future health of an individual for the primary purpose of providing health care and health-related services.

(g) ~~(e)~~ "Identifiable health record" means a ~~any~~ health record that identifies the patient or for with respect to which there is a reasonable basis to believe the information can be used to identify the patient.

(h) ~~(f)~~ "Patient" means an individual who has sought, is seeking, is undergoing, or has undergone care or treatment in a health care facility or by a health care provider.

(i) ~~(g)~~ "Patient representative" means a parent of a minor patient, a court-appointed guardian for the patient, a health care surrogate, or a person holding a power of attorney or notarized consent appropriately executed by the patient granting permission for ~~to~~ a health care facility or health care provider to disclose the patient's health care information to that person. In the case of a deceased patient, the term also means the personal representative of the estate of the deceased patient; the deceased patient's surviving spouse, surviving parent, or surviving adult child; the parent or guardian of a surviving minor child of the deceased patient; the attorney for the patient's surviving spouse, parent, or adult child; or the attorney for the parent or guardian of a surviving minor child.

Section 3. Section 408.0513, Florida Statutes, is created to read:

408.0513 Florida Health Information Exchange Participation Agreement.—

(1) By July 1, 2011, the agency shall identify and describe elements of a Florida Health Information Exchange Participation Agreement (or Florida HIE Participation Agreement) for use by health care providers and other organizations which specifies the terms and conditions for the exchange of health information.

(2) The agency shall adopt by rule the elements for a Florida HIE Participation Agreement and make the uniform elements available on the agency's Internet website, pursuant to s. 408.05. The elements of the agreement must include a requirement to use the universal patient authorization form, as provided in s. 408.051(4), when such form is adopted by rule.

(3) A health care provider that participates in the exchange of health information in reliance on a Florida HIE Participation Agreement containing all of the uniform elements does not violate any right of confidentiality and is immune from civil liability for accessing or releasing an identifiable health record under the agreement if the exchange of an identifiable health record comports with the requirements of the Health Insurance Portability and Accountability Act (HIPAA) privacy rule and state law.

(4) A health care provider is not required under this section to incorporate one or more of the uniform elements adopted and distributed by the agency in an agreement to participate in the exchange of health information.

Section 4. Section 408.0514, Florida Statutes, is created to read:

408.0514 Regional extension centers.—

(1) The agency shall coordinate with federally funded regional extension centers operating in this state to increase provider readiness in implementing the use of electronic health records in order to enable provider participation in health information exchange and electronic prescribing, including, but not limited to, readiness to prepare, use, and report performance measures

required to qualify for federal and state electronic health record adoption incentive programs.

(2) The agency may establish guidelines for services provided to Medicaid providers by regional extension centers and conditions for state Medicaid participation and use of such services.

Section 5. Paragraph (a) of subsection (1) of section 408.061, Florida Statutes, is amended to read:

408.061 Data collection; uniform systems of financial reporting; information relating to physician charges; confidential information; immunity.—

(1) The agency shall require the submission by health care facilities, health care providers, and health insurers of data necessary to carry out the agency's duties. Specifications for data to be collected under this section shall be developed by the agency with the assistance of technical advisory panels including representatives of affected entities, consumers, purchasers, and such other interested parties as may be determined by the agency.

(a) Data submitted by health care facilities, including ~~the~~ facilities as defined in chapter 395, must shall include, but is ~~are~~ not limited to: case-mix data; patient admission and discharge data; hospital emergency department data, which includes shall include the number of patients treated in the ~~hospital's emergency department and of a licensed hospital~~ reported by patient acuity level; data on hospital-acquired infections as specified by rule; data on complications as specified by rule; data on readmissions as specified by rule, which includes with patient and provider-specific identifiers; ~~included;~~ actual charge data by diagnostic groups; financial data; accounting data; operating expenses; expenses incurred for rendering services to patients who cannot or do not pay; interest charges; depreciation expenses based on the expected useful life of the property and equipment involved; and demographic data. The agency shall adopt nationally recognized risk adjustment methodologies or software consistent with the standards of the Agency for Healthcare Research and Quality and as selected by the agency for all data submitted under as required by this section. Data may be obtained from documents such as, but not limited to: leases, contracts, debt instruments, itemized patient bills, medical record abstracts, and related diagnostic information. Reported data elements shall be reported electronically, and in accordance with rule 59E-7.012, Florida Administrative Code. Data submitted shall be certified by the chief executive officer or an appropriate and duly authorized representative or employee of the licensed facility must certify that the information submitted is true and accurate.

Section 6. Subsections (3) and (4) of section 408.0611, Florida Statutes, are amended to read:

408.0611 Electronic prescribing clearinghouse.—

(3) The agency shall work in collaboration with private sector electronic prescribing initiatives and relevant stakeholders to create a clearinghouse of information on electronic prescribing for health care practitioners, health care facilities, regional health information organizations, health care consumers, and pharmacies, and regional extension centers that promote adoption of electronic health records. ~~These stakeholders shall include organizations that represent health care practitioners, organizations that represent health care facilities, organizations that represent pharmacies, organizations that operate electronic prescribing networks, organizations that create electronic prescribing products, and regional health information organizations.~~ Specifically, the agency shall, ~~by October 1, 2007:~~

(a) Provide on its website:

1. Information regarding the process of electronic prescribing and the availability of electronic prescribing products, including no-cost or low-cost products;

2. Information regarding the advantages of electronic prescribing, including using medication history data to prevent drug interactions, prevent allergic reactions, and deter doctor and pharmacy shopping for controlled substances;

3. Links to federal and private sector websites that provide guidance on selecting an appropriate electronic prescribing product; and

4. Links to state, federal, and private sector incentive programs for the implementation of electronic prescribing.

(b) Convene quarterly meetings of the State Consumer Health Information and Policy Advisory Council or a workgroup representing electronic

prescribing and other health information technology stakeholders to assess and accelerate the implementation of electronic prescribing.

(4) Pursuant to s. 408.061, the agency shall monitor the implementation of electronic prescribing by health care practitioners, health care facilities, and pharmacies. By January 31 of each year, the agency shall report metrics on the progress of implementation of electronic prescribing on the agency's Internet website to the Governor and the Legislature. The information reported must pursuant to this subsection shall include federal and private sector electronic prescribing initiatives and, to the extent that data is readily available from organizations that operate electronic prescribing networks, the number of health care practitioners using electronic prescribing and the number of prescriptions electronically transmitted.

Section 7. Paragraph (e) of subsection (1) and subsection (5) of section 408.062, Florida Statutes, are amended to read:

408.062 Research, analyses, studies, and reports.—

(1) The agency shall conduct research, analyses, and studies relating to health care costs and access to and quality of health care services as access and quality are affected by changes in health care costs. Such research, analyses, and studies shall include, but not be limited to:

(e) Total health care expenditures in the state according to the sources of payment and the type of expenditure shall be published on the agency's Internet website.

(5) The agency shall develop and implement a strategy for the adoption and use of electronic health records, including the development, implementation, and use of a single statewide infrastructure necessary for an electronic health information network for ~~the~~ sharing of electronic health records among health care facilities, health care providers, and health insurers.

(a) The agency shall contract with a vendor who has expertise in designing infrastructure that exchanges health information through an integrated solution using network security engineering which secures both the network and sensitive health care information while empowering patients to have control over how their information is shared. The infrastructure must be interoperable with the established National Health Information Network using national standards and leveraging ongoing federal investments to ensure meaningful use of health information. The infrastructure must be open source, giving the highest priority to privacy, security, and interoperability with existing and future electronic patient medical records.

(b) The agency may develop rules to facilitate the functionality and protect the confidentiality of electronic health records. The agency shall report to the Governor, the Speaker of the House of Representatives, and the President of the Senate on legislative recommendations to protect the confidentiality of electronic health records.

Section 8. Subsections (5) and (6) of section 408.063, Florida Statutes, are amended to read:

408.063 Dissemination of health care information.—

~~(5) The agency shall publish annually a comprehensive report of state health expenditures. The report shall identify:~~

~~(a) The contribution of health care dollars made by all payors.~~

~~(b) The dollars expended by type of health care service in Florida.~~

~~(5)(6) The staff of the Agency~~ staff may conduct or sponsor consumer information and education seminars at locations throughout the state and ~~may~~ hold public hearings to solicit consumer concerns or complaints relating to health care costs and make recommendations to the agency for study, action, or investigation.

===== TITLE AMENDMENT =====

And the title is amended as follows:

Delete lines 2 - 40

and insert:

An act relating to electronic health information; amending s. 408.05, F.S.; removing a statement of legislative intent; removing certain restrictions on the use of certain funds and fees received by the Florida Center for Health Information and Policy Analysis; revising provisions relating to the duties and responsibilities of the State Consumer Health Information and Policy Advisory Council; amending s. 408.051, F.S.; defining the terms "agency," "health care provider," and "health information exchange participation agreement";

creating s. 408.0513, F.S.; requiring the agency to develop uniform elements of a Florida Health Information Exchange Participation Agreement for use by health care providers; requiring the agency to post the agreement on the agency's Internet website; providing for immunity from civil liability for accessing or releasing certain health records; providing that health care providers are not required to incorporate the uniform elements of the agreement; creating s. 408.0514, F.S.; requiring the agency to coordinate with regional extension centers to implement the use of electronic health records; authorizing the agency to establish guidelines for center services and state Medicaid participation and use of such services; amending s. 408.061, F.S.; deleting a reference to an administrative rule relating to certain data reported by health care facilities; amending s. 408.0611, F.S.; revising provisions relating to a clearinghouse on information on electronic prescribing; requiring the State Consumer Health Information and Policy Advisory Council or a workgroup representing electronic prescribing and other health information technology stakeholders to participate in quarterly meetings on the implementation of electronic prescribing; requiring the agency to provide a report on the agency's Internet website; amending s. 408.062, F.S.; requiring the agency to post certain information on health care expenditures on the agency's Internet website; directing the agency to contract for the development of a single statewide infrastructure for exchanging health information; amending s. 408.063, F.S.; deleting the requirement that the agency annually publish a report on state health expenditures; providing an effective date.

WHEREAS, the use of electronic health information technology has improved the quality of health care, and

WHEREAS, coordinating federally funded training and outreach activities with a state-based health information technology program will advance the adoption and meaningful use of electronic health records, and

WHEREAS, the Agency for Health Care Administration is responsible for developing a strategy for the implementation of an electronic health information network in this state, NOW, THEREFORE,

On motion by Rep. Hudson, the House refused to concur in **Senate Amendment 1** and requested the Senate to recede therefrom. The action, together with the bill and amendment thereto, was immediately certified to the Senate.

Motion to Adjourn

Rep. Cannon moved that the House, after receiving reports, adjourn for the purpose of holding council and committee meetings and conducting other House business, to reconvene at 8:00 a.m., Friday, April 30, 2010, or upon call of the Chair. The motion was agreed to.

Messages from the Senate

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 31.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has adopted CS for HM 191.

R. Philip Twogood, Secretary

The above memorial was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 393, by the required Constitutional two-thirds vote of all members present.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 423.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 431.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 435.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 449.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 451.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 483, by the required Constitutional two-thirds vote of all members elected to the Senate.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 491.

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 511.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 551, by the required Constitutional two-thirds vote of all members present.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 615.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 723.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 759.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 795.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for CS for HB 831.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 843.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 851.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 859.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 937.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 955.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 957.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for CS for HB 963.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 965, by the required Constitutional two-thirds vote of all members elected to the Senate.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 969.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 971.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 1003.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 1035.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 1045.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 1047.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 1049.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 1051.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 1053.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 1055.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 1121.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 1129.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 1145.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 1157.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 1215.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 1237.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 1247.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 1249.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for CS for HB 1271.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 1295.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 1389.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 1403.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 1455.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 1473.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 1483.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 1485.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 1487.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 1519.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 1547.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 1565.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 1621.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 1625.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 1627.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 1629.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 1631.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 1635.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 7017, by the required Constitutional two-thirds vote of all members present.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 7019, by the required Constitutional three-fifths vote of all members elected to the Senate.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 7035.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 7085.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 7109.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 7121.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 7131.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

Votes After Roll Call

[Date(s) of Vote(s) and Sequence Number(s)]

Rep. Ambler:

Yeas—April 28: 1045, 1046

Rep. Cannon:

Yeas—April 23: 925; April 28: 1013, 1026, 1027, 1046

Rep. Fresen:

Yeas—April 28: 1069

Rep. Gonzalez:

Yeas—April 28: 1016

Rep. Homan:

Yeas—April 28: 1018

Rep. Hukill:

Yeas—April 20: 814, 815, 818, 819, 820, 823, 824

Nays—April 19: 811

Rep. Legg:

Yeas—April 20: 824; April 21: 851; April 26: 929, 930, 931; April 27: 1003, 1005; April 28: 1022

Rep. Planas:

Yeas—April 28: 1070

Nays—April 28: 1071

Rep. Proctor:

Nays to Yeas—April 28: 1069

Rep. Weatherford:

Yeas—April 28: 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1068, 1069, 1070, 1072, 1073, 1075, 1076

Nays—April 28: 1071

Cosponsors

HB 5—Brisé, Drake, Evers

CS/HB 65—Abruzzo, Burgin, Bush, Coley, Dorworth, Ford, Fresen, Frishe, Gonzalez, Horner, Jones, O'Toole, Rehwinkel Vasilinda, Robaina, K. Roberson, Y. Roberson, Rogers, Rouson, Schultz, Steinberg, Wood, Workman

CS/CS/HB 355—Carroll

CS/CS/CS/HB 665—Brisé, Hukill

CS/CS/HB 1071—Evers

CS/CS/CS/HB 1143—Plakon

CS/HM 1609—Kelly

HR 9097—Hukill

HR 9099—Hukill

HR 9127—Horner, Nelson, K. Roberson, Workman

Excused

Rep. Legg until 11:00 a.m.

The following Conference Committee Managers were excused in order to conduct business with their Senate counterparts:

HB 5001, and related legislation (HB 5003, CS/HB 5101, HB 5201, HB 5301, HB 5303, HB 5305, HB 5307, HB 5309, HB 5311, CS/HB 5401, HB 5403, HB 5501, CS/HB 5503, HB 5505, HB 5601, HB 5603, HB 5605, HB 5607, CS/HB 5611, HB 5701, HB 5703, HB 5705, HB 5707, HB 5709, HCR 5711, HB 5713, CS/HB 5801, CS for CS for SB 1238, CS for SB 1396, CS for SB 1436, CS for SB 1442, CS for CS for SB 1484, CS for SB 1508, CS for SB 1510, CS for SB 1514, CS for CS for SB 1516, CS for SB 1592, CS for SB 1646, CS for SB 2020, CS for SB 2024, CS for SB 2374, and CS for SB 2386), to serve with Rep. Rivera, Chair, and Rep. Grimsley, Acting Chair: PreK-12 Appropriations Committee—Rep. Flores, Chair, and Reps. Bullard, Clarke-Reed, Coley, Fresen, Kiar, Legg, and Stargel; State Universities & Private Colleges Appropriations—Rep. Proctor, Chair, and Reps. Bernard, Brisé, Burgin, Dorworth, Jones, McKeel, O'Toole, and Reed; Transportation & Economic Development Appropriations—Rep. Glorioso, Chair, and Reps. Carroll, Fitzgerald, Gibson, Jenne, Horner, Hukill, Murzin, Patronis, Rogers, and Schenck; Criminal & Civil Justice Appropriations—Rep. Adams, Chair, and Reps. Eisnaugle, Holder, Kreegel, McBurney, Porth, Rouson, Soto, and Tobia; Government Operations Appropriations—Rep. Hays, Chair, and Reps. Abruzzo, Braynon, Gonzalez, Nelson, Ray, A. Williams, and Workman; Health Care Appropriations—Rep. Grimsley, Chair, and Reps. Chestnut, Ford, Frishe, Hudson, Y. Roberson, Skidmore, and N. Thompson; Natural

Resources Appropriations—Rep. Poppell, Chair, and Reps. Bemby, Boyd, Brandenburg, Crisafulli, Plakon, Precourt, and T. Williams; Full Committee—At Large: Reps. Aubuchon, Bogdanoff, Galvano, Gibbons, Hasner, Lopez-Cantera, Reagan, Sands, G. Thompson, Thurston, and Weatherford.

Adjourned

Pursuant to the motion previously agreed to, the House adjourned at 4:59 p.m., to reconvene at 8:00 a.m., Friday, April 30, 2010, or upon call of the Chair.